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PUBLIC

CHARACTERS

OF

1809-10.

Vol. X.

" ——— I wish no other herald,
" No other speaker of my *living actions*,
" To keep mine honour from corruption;
" But such an honest chronicler." ———

HEN. VIII. Act 4, Sc. 2.

" ——— Hic nigræ succus, loliginis ; hæc est
" Ærugo mera; quod vitium procal afore chartis,
" Atque animo prius, ut si quid promittere de me
" Possum aliud vere, promitto."

HORACE, Sat. i. 4. 100.

LONDON:

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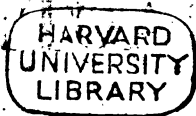
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1809.

[*Price Twelve Shillings in Boards.*]

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PREFACE.

ANOTHER, forming the tenth Volume of PUBLIC CHARACTERS, is now presented with all due deference, as well as gratitude, to that nation which has hitherto been pleased to approve of, and patronize the work. Like the preceding ones, its contents have been supplied by contributions from the pens of several authors, who have thus assuredly added to the variety, and it is to be hoped also, to the interest of the whole.

We rejoice, on the present occasion, to have been enabled to introduce a scientific article, and to mingle the discoveries of a philosopher, with the exploits of our seamen and our soldiers, the eloquence of our statesmen, the learning of our lawyers, and the piety of our prelates.

It may be proper to remark also, that the American Characters now, as before, have been furnished by a native of the United States, who has appeared in a public capacity in Europe, and is well known in Eng-

land as a man of letters. Intimately acquainted with the lives, habits, and pursuits of the gentlemen alluded to, he may be said to have painted from the life; it is proper; however, to remark, that, regular and correct himself, he is not chargeable with any of the errors that may appear in the introductory matter, with which they are ushered into the notice of the reader.

The Appendix contains a variety of additions as well as emendations. Some of the articles are calculated to gratify curiosity.

The whole of this production will, we trust, be found chaste in respect to morals, and fair and candid in regard to politics. On one hand, no little groveling passion has been here gratified; no pitiful personal enmity has been indulged; while, on the other, no unmanly sacrifice has been made at the shrine of power, or what is infinitely more dear and respected, on the altar of friendship!

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The Bishop of Bangor
The Duke of Northumberland

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The Bishop of Oxford

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and Corrections.

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Lord Somerville
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Hants, &c.
Lord Barham, Ad. of the
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The Earl of Elgin, Kt.

of the Turkish Order
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Dr. Stock, Bp. of Killala
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PUBLIC

PUBLIC CHARACTERS OF 1808-9.

THOMAS, LORD BISHOP OF ST. DAVID'S,
AND PREBENDARY OF DURHAM.

" I venerate the man whose heart is warm,

" Whose hands are pure, whose doctrine and whose life,

" Coincident, exhibit lucid proof

" That he is ~~HONEST~~ in the sacred cause."

COWPER.

THE remote situation of England, added to the invasion of the Saxons, and the inevitable confusion incident to that event, for a long time precluded its inhabitants from reaping the blessings of Christianity. This doctrine, so admirably calculated to soothe the afflicted, and to humble the haughty; which presents such a variety of consolation to believers, while it holds out so many inducements to the practice of every virtue, was not introduced among us until the conclusion of the sixth century. Gregory the Great, who, with all the power of the triple crown, united a patrician descent, appears to have been the first Pope that had conceived the idea of including Britain within the 1808-1809.

• B

Christian pale, and thus obtaining a rich inheritance for the successors of St. Peter.

During his time we find, from well authenticated records, that in most cities of Europe there was a mart for slaves, and that *white* men were accustomed to be sold at Rome, in particular, with as little ceremony as those of a *different* complexion are at this moment disposed of in Jamaica or Barbadoes. Indeed, our ancestors are said to have been indebted to this very circumstance for their conversion; and an adventure in the slave market,* suggested the idea of a mission into Britain, for the express purpose of subverting the altars of paganism, and erecting the cross of Christianity on their ruins.

The zeal of the pious monk,† selected upon this occasion, proved fortunate; he was entertained in a kind and hospitable manner by Ethelbert, king of Kent; the heptarchy by degrees received the light of the gospel, and Canterbury, where he had preached the doctrines of our faith with success, in process of time became metropolitical.

Unhappily, however, the successors of Pope Gregory, actuated by interest and ambition, began to convert religion into a vile traffic. A tribute, under the denomination of Peter's Pence, was exacted

* Happening to be told of the children of some English pagans, who were exposed to sale, the good Pope, who about this period was præfect of Rome, is reported to have exclaimed, in the true spirit of humanity, conveyed with a happy *alliteration*, "Non Angli, sed Angeli, forent, si essent Christiani."

† St. Augustin, or Austin.

from this kingdom, and one of its kings* actually consented not only to swear fealty to the Pope, whose vassal he publicly acknowledged himself to be, but to pay one thousand marks yearly as a token of his subjugation.

To such a degree of power and wealth did the clergy of that day, who uniformly yielded obedience to the papal see, at length arrive, that we hear of one† prelate braving the legitimate authority of his sovereign, and of another‡ rivalling him in splendor and magnificence.

At last, partly in consequence of the glaring impositions of the see of Rome, and partly from the increase of learning on the side of the laity, a new and happier order of affairs took place. During the reign of Henry VIII. the church of England was separated for ever from the Roman communion; and at the conclusion of near nine centuries and a-half, posterior to the introduction of Christianity, that grand revolution in ecclesiastical affairs, known by the name of the REFORMATION, formed a conspicuous epoch in our history.

Since that memorable period, our dignitaries have indeed been less opulent in point of revenues; but, at the same time, they have been also more chaste in their lives and conversation. We no longer find them apeing the state of kings, or arrogating an

* John.

† Archbishop Becket, afterwards canonised.

‡ Cardinal Wolsey.

unseemly pride, but ill according with the life, situation, and sufferings of their common Master.

With but a very few exceptions indeed, our English prelates have exhibited characters exempt from scandal, as well as conduct free from reproach, and this we attribute not a little to the proper selection of that dignified and respectable class. Care has been generally taken that our mitred priests, who are, at the same time, peers of parliament, should be chosen from among those eminent for their virtue, their learning, and their talents. Nor are we disposed to deny, that two other circumstances have contributed not a little to the purity of the episcopacy, for it has been customary hitherto, to elevate none but men of a mature age to the English purple, while the sons of our nobility, who might be supposed to pique themselves on their birth, have borne but a small proportion to those of a more humble origin.

Anterior to the late revolution in France, the younger brothers of the aristocracy were accustomed to look up to the Gallican church for an appanage, and falsely supposing that their illustrious descent conferred honour on the crosier, not unfrequently forgot those duties, of which the pastoral staff is a very appropriate emblem.

Dr. Burgess is a native of Hampshire, having been born in that county, in or about the year 1754, or 1755. His family occupied the same rank in life as those of Abbot, Tillotson, and Moore, prelates, eminent for their piety, and celebrated for

their virtues, rather than their birth. His father, a very respectable man, was for many years a grocer at Odiham; and had a large family, consisting of three sons, and three daughters. One of the children, who is at this moment an opulent tradesman, in London, was provided for early in life, by means of an estate that was left him, by a relation, a few days after his birth, while the others were early taught the useful lesson, that they must carve out a fortune for themselves, by industry and perseverance.

Thomas, of whom we now treat, received the first rudiments of his education from Mr. Webbe, a schoolmaster in his native village.* After this, he repaired to Winchester, where he was admitted on the foundation, and while there, became the contemporary of Mr. Addington, now Lord Sidmouth, an event which led to important results, as will be seen hereafter. Having at length removed to New College, Oxford, he again fell in with his old school-fellow, so that their acquaintance was renewed, and their friendship confirmed.

At this celebrated university Mr. Burgess resided many years, and after receiving the full benefit of the instruction to be derived from such a noble institution, he obtained a fellowship from Corpus Christi College, and assisted in the education of others, by acting, as is usual, in the capacity of a tutor.

* Odiham, in Hampshire.

The fame of his acquirements in the learned languages, having at length extended beyond the boundaries of *Alma Mater*, Mr. Burgess began to be talked of, more especially after obtaining a prize* in 1780. But it was a work† more immediately connected with his studies that introduced him to the notice of Dr. Barrington. The regard of that prelate was not confined to barren applause, for he first made him his domestic chaplain, and then conferred a prebendal stall at Carlisle. On his lordship's translation to Durham, this was exchanged for a still better one, appertaining to that see, to which was annexed a living on the banks of the Tees, since resigned in consequence of his recent preferment.

The first correct notice of his literary career, within the scope of our knowledge, commences with the year 1781, when Mr. Burgess published a new edition of Dawes' "*Critica Miscellanea*," to which he has also added a large Appendix. A respectable critic of that day, after much well deserved praise, expresses himself as follows, in respect to his labours on this occasion :

"This Mr. Burgess we consider as an extraordinary young man, from whom great things in the way of erudition may be expected, and who promises to be one of those who, in this respect, will contribute to sustain the glory of our countrymen.

"The same gentleman, in a supplement to his *Essay on Antiquities*, which obtained the Oxford prize in 1780, and which de-

* For an "*Essay on Antiquities*."

† A *Treatise on the Origin and Formation of the Greek Language*.

served that prize, hath given the general plan of an intended Treatise on the Origin and Formation of the Greek Language. From this plan it is apparent that the author is well fitted for undertaking curious and profound enquiries."

In 1792 Mr. Burgess, who by this time had obtained the degree of bachelor of divinity, published a sermon chiefly in opposition to the Socinians,* in which he strenuously maintained the doctrine of the divinity of Christ, and that too, in a manner somewhat novel; by the testimony of "his living witnesses the Jews." This had been delivered before the members of the university in which he was educated, about two years anterior to the period alluded to, and it contains many pointed remarks on the opinions of Dr. Priestley, and Mr. Gilbert Wakefield, which were calculated to make considerable impression.

In the preface we are told—

"That at the request of some much respected friends of the author, the following sermon is presented to the public. He has undertaken in it," it is added, "to prove, what indeed has often been proved before; and to support, from the Scriptures, the belief of what there is the best evidence for asserting has always been believed, in all ages of the church, and the best grounds for thinking will continue to be believed, by infinitely the greater part of those who study the Scriptures seriously, and without prejudice,

* "The Divinity of Christ proved from his own Declarations, attested and interpreted by his living witnesses, the Jews; a Sermon, preached before the University of Oxford, at St. Peter's, February 28, 1790. By THOMAS BURGESS, B. D., Domestic Chaplain to the Lord Bishop of Durham, and Prebendary of Durham."

whatever unbelievers may think, or may wish others to think, of the progress of their opinions. Yet any attempt to prove the divinity of Christ," continues he, "may not be thought unseasonable at a time, when unbelievers charge the church of England with idolatry for her admission of this doctrine, accuse her ministers of insincerity for conforming to it contrary to their conviction, and consider such 'corruptions of Christianity' as justifiable reasons for their utmost endeavours to demolish the system which supports them.

"It is in vain perhaps to promise novelty of proof on a subject so often discussed by believers and unbelievers; yet I am not aware that the argument for Christ's divinity, as stated in the following discourse, and resting on 'Christ's own declarations, attested and interpreted by his living witnesses the Jews,' has even been urged as the great fundamental proof of the divinity of Christ. But whether it be new or old, it seems to have the following advantages: Christ's own declaration of his divinity affords, to common understandings, more plain and tangible evidence than that of prophecy; and more complete than the evidence of miracles; and when attested by his enemies as well as his disciples, who heard them, and by the events which followed from them, they appear to be susceptible of but one meaning, and consequently to be free from the ambiguities which are sometimes imputed to Scripture language.

"The object therefore of the discourse is, to recal the attention of the reader to the first period of historical evidence on the subject, viz. Christ's own declarations, attested and interpreted by his living witnesses, the Jews; to point out the principal causes which have contributed to produce the difference of opinion concerning the person of Christ; and the consequence of one of those causes as they affect the Christian faith and the national church; and lastly, to urge the study of the Scriptures, and of the great principles of Christian faith derived from them, and professed by the church of England, as the best means of securing the purity of Christian faith, and affection to the national establishment."

The text, which is from John iii. 12., must be

allowed to have been peculiarly apposite: "If I have told you earthly things, and ye believe not, how shall ye believe if I tell you of heavenly things?" The preacher begins by stating, that the religion of Christ is distinguished from all others by the purity of its precepts, and the mysteries of its creed; by precepts which divine benevolence alone could have inspired, and by mysteries which divine wisdom only could have revealed. In a note subjoined, he remarks on the coincidences of language, which have induced some to believe that the ancients were acquainted with the Christian doctrine of the Trinity, and he quotes the "*Sive Deus, Sive incorporalis ratio, Sive Divinus Spiritus*" of Seneca, as equivalent, in the estimation of some, to the three persons of the Divinity; but he enters into an able analysis of the passage, with a view of proving that there is no resemblance whatsoever.

Mr. Burgess then enumerates the peculiar excellences of the Christian faith:

"If Christ," says he, "had delivered only precepts of moral duty, however superior in purity to the injunctions of the Mosaic laws; if he had, in addition to that morality, only assured to us the certainty of a future life, great and important as is the doctrine, we might still have ranked as Hebrews: the Pharisees believed the doctrine of the resurrection. The characteristic articles of Christianity we must collect from the doctrines of redemption, incarnation, atonement, and mediation. By the credenda, then, of their faith, and not by precepts of morality, do different religions specifically differ: their moral precepts may, in some degree, distinguish them from each other, but they are characterized by their religious tenets.

"The importance of religious opinions is peculiarly obvious in this country, and in the present day. It is the difference of religious opinions which separates from the church the most repugnant of her sectaries. Where the same doctrine is considered by the Church as of divine authority, and by her enemies as idolatrous, to know the truth cannot be a matter of indifference to any churchman. Where affection and attachment to a national church depended, if not solely, yet principally, on the truth of the doctrines which she enjoins, a clear conviction of the truth cannot be to any member of the establishment a matter of indifference. Above all, it cannot but be a concern of the first importance to every serious Christian, to be well persuaded of those doctrines which constitute a disciple of Christ.

"It is too obvious to be denied that he cannot be a Christian, or a disciple of Christ, who disavows the doctrines inculcated by Christ and his apostles. They who differ most in their religious opinions must agree in this acknowledgment. Yet among those who are denominated Christians, some most decidedly believe, what others as strenuously deny; and yet all contend that their doctrines are the doctrines of Christ.

"The Church of England enjoins, as necessary articles of faith, because it believes them to be the doctrines of Christ and his apostles, what the Socinian rejects as incredible, impossible, and unfounded in Scripture. Both cannot be right; to adhere to such contrary opinions must be, it should seem, on one side or the other, the effect of great perverseness, or misapprehension; it becomes, therefore, the adherent of both persuasions to consider well the grounds of the serious and important differences which separate them from each other; it becomes us as members of the national establishment, and those of us especially whose business it is to teach the doctrines of the gospel. If Jesus Christ were a mere man, we are guilty of idolatry in paying him divine worship; if Jesus Christ were a mere man, we are guilty of a pernicious delusion in pressing upon others the belief of his divinity. But if Jesus Christ was God as well as Man; if the Scriptures so declare him; if his actions and declarations attest his divinity, and yet we

deny it; whatever name the present boasted liberality of sentiment may allow us, we have no claim to the title of his disciples; we cannot be Christians.

"Seeing, therefore, that the essential truths of Christianity are involved in the doctrines of the national Church; that the Civil and Ecclesiastical constitution of this country rests on the same political principles, participates the same political rights, and depends on the same laws for their protection; and seeing too, that the same principles before touched upon have, some a remote, some an immediate tendency to subvert the national establishment, and the essential articles of the Christian faith; the progress of such principles cannot be better opposed than by a rational and firm attachment to the national Church, founded on a decided conviction of those religious truths which it possesses.

"That we may not therefore suffer ourselves to be misled by the doubts and prejudices, the sophistical and partial objections of philosophical unbelievers, let us keep steadily in view that weight of evidence by which the sacred writings are authenticated more amply and circumstantially than any other ancient book. Let us protect our belief from the perplexities of subordinate difficulties, by imprinting on our minds those clear, and decisive passages in the sacred writings, which contain the words of Christ himself, and the doctrines of our faith: 'Let them be as signs on our hands, and frontlets between our eyes.' Let us reflect with humility on those awful and mysterious revelations which God has made known to us, and which our imperfect reason would have been unable by the light of nature to discover. Let us pray to God to preserve our minds from the vanity of misdirected presumptuous reason; from the delusions of inattention, indifference, and prejudice, and from that source of innumerable prejudices and errors, a spirit of opposition to every thing received, of resistance to all authority, and repugnance to all establishment."

The above specimen is fully sufficient to vindicate the zeal of the subject of this memoir, and we entertain no manner of doubt, but he would be at this moment to the full as eager, as when an under-gra-

duate, to uphold the rights and doctrines of the establishment. But the truth is, that neither the genius of the age, nor the mild spirit of our constitution, is favourable to the exhibition of polemical dexterity, or that controversial ardour, not unfrequently replete with the *odium theologicum*, which distinguished and disfigured the domestic history of former times.

The forbearance of the Church of England has almost become proverbial, and since the days of the intemperate Archbishop Laud, the only one of his order, we believe, who ever fell, in this country, by the hands of the executioner, the doctrine of toleration, so consonant to the very essence of Christianity, and so suitable to the liberal policy of a free and commercial country, has uniformly triumphed. Indeed we have every reason to suppose, that the discourse just alluded to, sprung from the exigency of the moment, and was imperiously called for, by way of confutation, in respect to the open and professed tenets of two men, one* of whom had acquired an unrivalled reputation in science, while the other† had attained no small proficiency in the most abstruse branches of human learning.

We are now arrived at a part of Mr. Burgess's life, the recollection of which, while it is calculated to make a favourable impression on the public, will tend not a little to tranquillize his own mind, smooth the brow of affliction, lessen the pangs of disease,

* Dr. Priestley.

† The Rev. G. Wakefield.

and alas ! it is to be hoped, disarm even death himself of half his terrors. The subject to which we allude, is the *Slave Trade*, a traffic which, in the language of Cicero, may be fairly considered as " *frons fraudium, maleficiorum scelerum omnium.*"

As Christians, such a practice but ill accords with the benevolent spirit of our religion ; as men, it is in direct opposition to the rights of humanity ; and as a people, who boast of liberty for their birth-right, purchased by the blood and the exertions of their forefathers, it appears alike a satire on their principles and their practice :

" Tell them in vain thy grace with festive joy

" The day that freed them from oppression's rod,

" At slavery's mart, who barter and who buy

" The image of their God."*

Animated by these sentiments, which have since, to a certain degree, obtained the sanction of the legislature, Mr. Burgess, who appears at that period to have resided in Christ Church College, Oxford, in February, 1789, published a work, entitled " *Considerations on the Abolition of Slavery and the Slave Trade, upon Grounds of Natural, Religious, and Political Duty,*" in an epistolary form. He begins by stating his design, and observes that he has been induced to examine how far this traffic is encouraged by natural and revealed religion, in consequence of a position in Mr. Harris's " *Scriptural Researches,*" which affirms " that the Slave

* Mason.

Trade is conformable to the principles of the law of nature delineated in Scripture."

The reverend and learned author admits of the propriety of trying the licitness of this odious commerce, "by a criterion which is the ultimate rule of all human actions—the Holy Bible;" but he maintains, on the other hand, that it is neither encouraged, nor enjoined there. After taking a review of the principles from which the scriptural doctrine of the slave trade is said to be deduced, it is remarked, that customs merely recorded in the sacred writings, are not sanctified by the record, and that the *data* laid down by the adversary are not to be tolerated. To these are opposed the following positions :

1st. "That slavery and the slave trade are inconsistent with the principles of the law of nature deducible from Scripture, for reasons which will be stated hereafter.

2d. "That no conclusion can be drawn in favour of West Indian slavery, or the African slave trade, from particular transactions recorded in Scripture: because the transactions in Scripture bear no resemblance to the slavery and slave trade in question, and because transactions merely recorded in Scripture History are not sanctified by the record.

3d. "That no conclusion can be drawn in favour of the West Indian or African slave trade, from the Hebrew laws respecting slavery: because the conditions are by no means analogous, and because (if they were) laws neither introduce nor justify every custom which they regulate.

4th. "That the clearest and fullest permission of slavery to the Jews, under the law of Moses, does not make it allowable to Christians: because the new law has annulled the old in all its ritual and judicial ordinances. We cannot reason from one state of

religion to another, where any great revolution has intervened in the progress of religion.

5th. "That however such permission might appear to make slavery in any degree allowable to the first Hebrew Christians under the Roman government, it does not by any means make it allowable under the free government of this country: because we cannot reason from one form of government to another; nor even from one state of society to another under the same form of government, where any remarkable revolution has intervened in the progress of political society.

6th. "That whatever may be the commercial and national advantages of slavery and the slave trade, they ought not to be tolerated, because of the inadequacy of those advantages to their many bad effects and consequences: and

7. "That slavery and the slave trade ought to be abolished, on account of the good which would follow from the abolition to religion, to mankind in general, and to ourselves in particular."

Having thus replied on these points to Mr. Harris, the author very justly observes, that slavery, even in its mildest sense, considered as an "unlimited, involuntary, uncompensated subjection to the services of another, is a total annihilation of all natural rights." He confutes the ridiculous assertion, "that the slaves in the West Indies are happier than the poor of our own country," which, in his opinion, could have originated only from the possession of inordinate authority, and insensibility to the blessings of a free country.

"Where the poor slaves are considered," says he, "as mere brutes of burden, it is no wonder that their happiness should be measured by the regular supply of mere animal subsistence. But the miseries of cold and want are light, when compared with the miseries of a mind weighed down by irresistible oppression. The hardships of poverty are every day endured by thousands in this

country, for the sake of that liberty which the advocates of slavery think of so little value in their estimation of others happiness, rather than relinquish their right to their own time, their own bovel, and their own scanty property, to become the pensioners of a parish. And yet an English poor-house has advantages of indulgence and protection which are incompatible with the most humane system of West Indian slavery. To place the two situations of the English poor, and West Indian slaves, in any degree of comparison, is a defamation of our laws, and an insult to the genius of our country."

He then replies with equal force to the assertion, "that if the West India slaves are not happier than the poor of England, at least they are happier in the West Indies than in their own country." And he observes, among other arguments, that the *amor patriæ* of a savage is an instinctive passion, more powerful perhaps, because more simple, than the patriotism of an European.

After a review of the whole subject, he is induced to express himself as follows :

"From all that has been advanced result the following (I think unquestionable) inferences :

"That slavery is unjustifiable, even under the most humane treatment ; but, with circumstances of cruelty, that it is highly criminal and wicked, especially in Christians, and above all, in Christians of a free government. Consequently, that the trade which extends the practice of what is criminal and wicked, cannot be less criminal, and may be much more ; that the profits of such trade, whatever may be its national consequence, do not lessen its injustice and criminality ; and that such trade, therefore, ought not to have the deliberate sanction of a free Christian nation, but ought to be abolished."

Having concluded this head of the inquiry, the humane author remarks, "that to prove the sum"

of oppression, cruelty, and misery; resulting from slavery, it is not necessary to establish a minute detail of particular facts. The degree of cruelty and inhumanity with which the labour of slaves may happen to be carried on, is not more difficult than it is immaterial, minutely to ascertain, as the aggregate of these cruelties is sufficiently established by the yearly consumption of slaves, which amounts to one hundred thousand, annually exported from Africa to the West Indies.

Mr. Burgess, as if filled with the spirit of prophecy, observes, "that whatever laws might be made for the purpose of mitigating and modifying slavery in the British colonies, were not *likely*, in contradiction of all former experience, to produce 'any permanent effects of much consequence to the general condition of slaves.'"^{*}

"In truth," adds he, "laws and slavery are contradictory terms. If laws prevail, that is, such laws as ought to be in force in every part of the British empire, slavery cannot exist. If slavery, however modified, is suffered to exist, British law cannot be in force. Why then attempt to *modify* what is in its very principle inhuman, unchristian, and inconsistent with British law, and the spirit of our constitution? and which, however its concomitant circumstances might be diminished, could never be rendered not inhuman, nor unchristian, nor unconstitutional. If justice to

* If the humane, the interested, or the inquisitive reader, should be disposed to question this position, laid down sixteen or seventeen years since, he has only to turn to a little work, entitled "The Horrors of the Negro Slavery existing in our West Indian Islands, irrefragably demonstrated by Official Documents recently presented to the House of Commons, 1805." It would be still more satisfactory, perhaps, to examine the original papers themselves.

1808-1809.

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our nature, to our religion, and our country, demand the sacrifice, why should an act of such accumulated duty be done by halves? Why not rather by one generous effort of public virtue cut off all occasion of inhumanity and oppression, with all the pernicious effects of slavery on the slave, the master, and the state."

The reverend author, however, never dreamed of effecting this by an immediate emancipation, but merely by an act of the legislature, which should prohibit all further importation of slaves from the coast of Africa, or from any other quarter; and then, at the end of a limited period, he proposes to abolish slavery in every part of the British dominions.

Towards the conclusion we are told, and told truly, that in time of war the slaves, in consequence of the privation of liberty, the severity of labour, and the want of interest in the produce of their own toils, added to the desire of revenge for the cruelties and miseries they suffer, cannot but afford great cause of alarm for the security of the islands. The commercial advantages of slave labour are likewise estimated on the authority of three great political writers of the present day: Smith, Millar, and Young, while he has subjoined certain queries formerly propounded by Malachy Postlethwait, who was himself a member of the African company, by way of pointing out the impolicy of the commerce in slaves.*

* He also quotes the instances of Phillis Wheatley's poems, Ignatius Sancho's letters, and the conduct of Farhan, governor of Loheia, to prove, "that the African mind is susceptible of very superior improvement."

We trust that the question, so ably advocated by the pen of this learned gentleman, will not fail to be supported hereafter, if necessary, by all the authority of his newly acquired dignity, and, in the mean time, we most seriously join with him in the following concluding sentiments :

“ Whatever then may be said to justify the permission of slavery in the colonies of other governments, less free than our own, to permit it in the British colonies is an inconsistency which degrades our high pretensions to political freedom, and discredits the fairest form of liberty, which the world ever saw, a form of liberty which combines those properties of political perfection, which politicians of antiquity saw in contemplation only, and considered, like the painter's ideal beauty, as objects rather of the imagination than of the senses, rather to be admired and envied, than to be expected in any one form of civil government.

“ The whole civil history of mankind does not present a more interesting subject, than the progress of our constitution from the imperfect rudiments of German liberty down to that *great event* in the last century, which in the fullest and most definite manner established the liberties of this country. When we consider, therefore, the situation which our constitution now holds in the progress of political society, and how much advanced beyond the other governments of Europe, who does not, in proportion as he values his own happiness, and feels for the honour of his country, regret, that such a political evil should be suffered to exist in any part of a free Christian government, as slavery? and such a system of slavery, as by the immense supply of men which it draws annually from Africa, encourages war and destruction among the savage nations of Africa, extends the miseries of slavery over one-half of the continent, impedes the progress of civilization, and precludes the means of a just and liberal intercourse between Europe and Africa. Who does not deprecate the toleration and continuance of an obstacle which, so disgracefully to us, obstructs the advancement of the general happiness of mankind?”

We have now enumerated and noticed some of the literary labours of the subject of this memoir, and on a review of them it will be found that they are not a little honourable to his character and his station, being intimately connected with the advancement of knowledge, of benevolence, and Christianity. We have been given to understand that, some years since, he had projected a philosophical tour, with an intent of not only gratifying himself, but also of communicating his acquisitions to the public. But in consequence of the intervention of unexpected events, he was called to the exercise of other duties, and therefore deemed it improper to fulfil his original plan.

Soon after his first preferment, Mr. Burgess determined to settle in life, and accordingly, in 1796, married Miss Bright, of Durham, half sister to the present Marchioness of Winchester,* her father, Mr. Bright, a gentleman of good fortune, having married the widow of John Andrews, Esq. of Shotley Hall, in the county of Northumberland.

With this lady, by means of whom he obtained a considerable addition to his fortune, and no small augmentation to his happiness, Mr. Burgess remained in the north of England, without any great hopes of, and it may be truly said, without any great wishes for preferment. There, in the society of friends by whom he was beloved, and in the practice of that hospitality, which has not yet been en-

* Formerly Miss Andrews.

tirely rooted out in that portion of the empire, notwithstanding the pressure of the times, and the accumulation of taxes, he continued to enjoy that calmness and tranquillity of mind, so congenial to happiness, without cares to vex, and with scarcely a single wish, in respect to himself, ungratified.

He was not inattentive, however, to the honours of his university, and accordingly, in 1802, repaired to Oxford, to take the degree of D. D. At this period, when he had climbed the steep ascent to a prebendal stall, and the doctorate, Mr. Addington, now Viscount Sidmouth, by an extraordinary concurrence of circumstances, after acting for many years in the dignified office of Speaker of the House of Commons, was now become Chancellor of the Exchequer, and First Lord of the Treasury—in other words, Prime Minister of the British Empire!

Here was a fine opening for the renewal of a friendship commenced at Winchester, and consolidated at Oxford; but the modest prebendary did not obtrude himself upon the exalted statesman, although, in the course of his journey, he passed twice through the capital.

Soon after his return, however, a letter was received by the post, with the name of "Henry Addington," on the superscription, on which, unconscious of his intended advancement, he coolly replied, that some of his correspondents had obtained a frank from a gentleman to whom he himself was formerly known!

On breaking the seal, and unfolding the cover, he read nearly as follows :

“ DEAR SIR,

“ Although many years have elapsed since we had any personal intercourse, yet to convince you that I continue to bear you in mind, I have to inform you that the bishopric of St. David's, which is now vacant, is entirely at your service.

I am, dear Sir,

Your most obedient, &c. &c.

H. ADDINGTON.”

Soon after the receipt of this very kind and auspicious epistle, Dr. Burgess repaired to London, waited on the minister, in Downing-street, on purpose to make his acknowledgments, was presented to the King, and consecrated and inducted in due form. Thus the *lawn sleeves* were at last tacked to his garment, unexpectedly, yet not undeservedly, and by the intervention of singular events. But he was not dazzled by the glitter of the episcopacy ; and it was truly, as well as kindly observed, by the Prelate of Durham, “ that his friend Burgess had accepted his new situation from gratitude, for with such a man a bishopric could add nothing to his happiness.”

The bishop of St David's now divides his time in such a manner as is most consonant to his various duties, residing part of the year at Aberguilly, near Caermarthen, and at another, visiting Durham and London.

Some of the dignified clergy have occasionally complained of *dilapidations* on the part of their predecessors, but few, or none, we believe, of elegant

and expensive additions. This, however, has been actually the case on the present occasion; for the late Lord George Murray,* brother of the Duke of Athol, counting perhaps on the increase of his revenues, in consequence of the expiration of leases, &c. as well as desirous to accommodate a very large family, literally converted a house, exactly corre-

* The Right Honourable and Right Rev. Lord George Murray, D. D. died at his house in Cavendish-square, in the 43d year of his age, June 3, 1803. His death is said to have been occasioned by attending on a committee of the House of Lords, during a cold and damp night, and waiting some time at the door, during a profuse perspiration, for his carriage. He thus fell a prey to disease three days after, leaving a beautiful and amiable widow, and ten children, to lament his loss.

List of Bishops of St. David's during the present reign.

1. Dr. Anthony Ellis died in 1761, and was succeeded by Dr. Samuel Squire.

2. On his demise, May 17, 1766, Dr. Robert Lowth was consecrated in his room.

3. On his translation to the see of Oxford, in October following, Dr. Charles Moss was consecrated.

4. On his translation to Bath and Wells, in 1774, he was succeeded by the Honourable Dr. James Yorke.

5. On his translation to Gloucester, in 1779, Dr. John Warren was consecrated in his room.

6. On his translation to Bangor, in May, 1783, he was succeeded by Dr. Edward Smallwell.

7. On his translation to Oxford, in 1788, he was succeeded by Dr. Samuel Horsley.

8. On his translation to Rochester, in 1793, he was succeeded by the Honourable and Reverend Dr. William Stuart.

9. On his translation to the see of Armagh, and primacy of Ireland, he was succeeded by Lord George Murray; and

10. On his demise, he was succeeded by the present bishop.

sponding, in all points, with the profits of the see, into a palace, to which indeed it possessed titular pretensions before. While the workmen, however, were busily employed, some in adding extensive apartments, others in laying out ornamental shrubberies, his lordship was unexpectedly smitten by the hand of death.

In 1787, the Bishop of St. David's was appointed, by the House of Lords, to preach the sermon on the 30th of January, being the commemoration of the execution, or, as some are pleased to term it, of the "martyrdom" of Charles I. Various opinions have been entertained concerning the merits, as well as demerits of this prince, who certainly endeavoured to stretch the prerogative to a pitch utterly inconsistent with liberty, either practical or theoretical. Without offering any comment, however, on so delicate a subject, we shall here transcribe that portion of the text which immediately refers to the event in question.

"ECCLESIASTICUS, x. 8.

"Because of unrighteous dealings, injuries, and riches got by deceit, the kingdom is translated from one people to another.

"The providence of God, in mercy to his sinful creatures, has given us in his written word, a faithful record of his judgments upon sin, of his warnings to avoid its evil consequences, with his earnest invitations to repentance, and holiness of life. He has graciously provided by the most express testimony, that (if we are not blinded by the evil heart of unbelief) we should not be ignorant of this merciful purpose of his revelations to mankind. 'All these things,' says St. Paul, 'happened unto them for examples; and are written for our admonition.' (1 Cor. x. 11.)

"In many passages of Scripture, God forewarned the Jews what the consequences of disobedience would be. Their history affords ample evidence of their transgressions and their punishments.

"In the words of my text, we have a testimony that national sins are visited by great national calamities,—the overthrow of states and the translation of kingdoms from one people to another. In other passages of Scripture we learn, that the ruinous consequences of sin are not confined to the existing generation, but that the sins of a people are sometimes visited on the third and fourth generation of their posterity. God has, however, in the same record, left his promise to his people, that 'if, in the midst of their sufferings for sin, they should call his words to mind, and should return unto the Lord their God, and obey his voice, then the Lord would have compassion on them, and do them good, and multiply them above their fathers.' (Deut. xxx. 1—5.)

"For the solemn purpose of confessing and deploring a great national sin, the murder of a lawful sovereign, we are convened, on this day, by the laws of our country, or rather by his special command, who is the organ of our country's voice, the defender of her faith, the exemplar of her morals, and the guardian of her public duties.* If even to the third and fourth generation (that is, to an unlimited period of impenitent descendants) men are liable to God's anger and to his punishments of sin; and if existing or impending judgments may be mitigated or averted by repentance; the people of this country are as much concerned, at this day, in the duty and necessity of repentance for the murder of a lawful sovereign, as at the period in which this great national sin was committed. We have perhaps stronger reasons; for we have now, more than ever, to lament not only the murderous act, which they were guilty of, but the example which they set.

"We are assembled here to commemorate the calamitous event, which completed the downfall of the monarchy and constitution

* The sermon appointed to be preached before the House of Lords on the 30th of January, which had been discontinued for some years, it was his Majesty's pleasure should be revived this year.

of this country in the seventeenth century; to acknowledge with contrition the sufferings of a murdered sovereign, and the wickedness of the atrocious deed, which extinguished 'the light of Israel;' and to deprecate the Divine vengeance, which (if God be extreme to mark what has been done amiss) the murderers have entailed on this country. Such is the tenour of our public prayers on this occasion. In them we acknowledge that the murder of the king, and the overthrow of the legal government, were heavy judgments brought down upon us by the crying sins of the nation. The part of that transaction which most nearly concerns us at present, and implicates us in the guilt of other nations, is the example of violated and insulted justice which was then set. The nation which was loudest in its censures and execration of our regicide, has followed the example, and has aggravated it by acts of incredible outrage and excess, and a spirit of revolutionary violence, which has filled the continent with disaster and dismay."

The see of St. David's is one of the least opulent in the Anglican church. It is only charged in the king's books at the sum of 426*l.* 2*s.* 1*d.*; and was, until very lately, a very inadequate provision for a dignitary. It is now said to amount to near 3,500*l.* per annum.

It may be here necessary to present the reader with as correct a list of the works of its present bishop, as we have been able to obtain:

1. He has published a valuable edition of Burton's *Pentalogia*.

2. The best edition extant, of Dawes's *Miscellanea Critica*; to which he has prefixed a preface, written with great eloquence.

3. *Gravinæ Opuscula*; and

4. *Initia Homerica*.

Of original works we find—

5. An Essay on Antiquities.
6. A Treatise on the Origin and Formation of the Greek Language.
7. *Conspectus Criticarum Observationum in Scriptores Græcos & Latinos*, one vol. 8vo.
8. Remarks on Josephus's Account of Herod's rebuilding the Temple at Jerusalem.
9. Elementary Evidence of the Spirit of Christianity.
10. First Principles of Christian Knowledge.
11. Prayers in Time of War and Public Danger.
12. Considerations on the Abolition of Slavery and the Slave Trade.
13. Practical Christianity; or Arminians and Calvinists reconciled on Scripture Principles.
14. *Initia Paulina*.
15. A Sermon preached before the Royal Humane Society in 1804.
16. A Sermon on the Divinity of Christ.
17. A Sermon preached before the Lords Spiritual and Temporal, in the Abbey Church, Westminster, on Friday, January 30, 1807, and published at the request of the House of Peers.

We have been told that this amiable prelate, who has not as yet any family, has lately appropriated one-tenth of his income to the institution of public schools within his diocese.

“Go live! for Heaven's eternal year is thine,

“Go! and exalt thy moral to divine.”

THE REVEREND

WILLIAM COXE, M. A. F. R. S. AND F. S. A.

ARCHDEACON OF WILTS AND RECTOR OF BEMERTON,

IN an age like the present, when, greatly to its credit, the class of readers seems to have increased in a tenfold ratio, and has become at once extremely numerous and respectable, the effects produced by books are wonderful. A man of letters, therefore, who writes upon principle, and whose labours are imbued with just and liberal sentiments, is enabled to effect much good. In this case, perhaps, the press is to the full as efficacious as the pulpit, for the efforts of the legislator, the divine, and the moralist, will be enforced, countenanced, and supported.

In the northern parts of our own island, the clergy in general not only cultivate literature, but a large proportion of them have entered the list as authors, and contended in the race of fame with the laity: thus the three Blairs, with Home, Robertson, and a multitude of the Scottish divines, have enriched the world with their various productions; and there is scarcely a county, from the banks of the Tweed to the remote shores of the Orkades, but at this moment contains several clerical characters, who have excelled in divinity, history, and the *belles lettres*.

In England too we can boast of several dignitaries of the church, such as the late Drs. Horsley,



The Rev. W. Canning.



Sir Edward Perry.

Published by J. B. B. B.

Lowth, and Hurd, together with the present Bishops Watson and Porteus, who have, like the subject of this memoir, obtained reputation as authors. Of the inferior clergy, many also have evinced talents for composition, and we lament that the custom is not still more prevalent. Education, learned leisure, and opportunities of every kind, are all within their grasp; their studies and their attachments alike point that way, and although the age of ecclesiastical controversy is happily gone, yet there is still an ample field left open for men of talents.

The Rev. Mr. Coxe is the son of a medical practitioner, who, although he had not enriched himself by his own profession, determined to give a learned education to his son, and appears to have designed him for a physician. Having been born in the city of * Westminster in 1746 or 1747, he was sent to a school, famous in that day, kept by the Rev. Mr. Fountaine, whose son is now a canon of St. David's. There he remained about eight years, at the end of which period he repaired to Eton, of which college, Edward Barnard, M. A. was at that time head master.† He was on the foundation we believe, and his contemporaries at the celebrated seminary, were Lord North, afterwards Earl of Guilford, and for some years Prime Minister of Great Britain, the present Marquis of Hertford and the Conways, the

* Dover-street, Piccadilly.

† He succeeded John Sumner, D. D. in May 1754.

late Sir James Macdonald, who appeared as a shining meteor from the northern isles, and Fox, a name alike connected with literature and politics. He is allowed, even at that period, to have been an excellent classical scholar, but we do not find any of his productions in the *Musæ Etonenses*, although those of names far inferior have been recorded there.

At the expiration of the usual probationary period, Mr. Coxe was sent to Cambridge, and matriculated in 1764 at King's college, which consists of a provost, together with seventy fellows and scholars, the latter of whom, according to the statutes, are to be supplied by regular succession from Eton, which was founded and endowed at the same time with this (1441), by Henry VI. In 1765, he obtained the scholarship founded by William Battie, M. D., who assigned an estate of thirty pounds per annum, which was left chiefly as an encouragement to those intended for the study of medicine, and he enjoyed the benefits of this legacy until 1773, when he was succeeded by Edward Cooke, also of King's. In 1770, being then a middle bachelor of arts, he became a candidate for one of the annual prizes given by the two representatives of the university in parliament, and the prizemen of that year were himself and the late George Atwood, of Trinity, since celebrated for his mathematical researches. In 1771, being then a senior bachelor, he obtained another of the same

kind, in conjunction with William Jones of Peterhouse. In both cases, the composition consisted of a dissertation in Latin prose, which was read as is usual, publicly, on a day appointed, near to the commencement, and then transmitted to the representatives. He afterwards became M. A. and a fellow of King's.

By this time he had been admitted by Dr. Richard Terrick, then bishop of London, to deacon's orders, and having been ordained a priest in 1772, he was of course ready for any preferment that might occur; but he was obliged to act as curate to a rural parish near Hillingdon, in the county of Middlesex, for some time. At length, however, he exchanged the obscure village of Denham for the splendid palace of Blenheim, on his being appointed to superintend the education of the heir to the Marlborough family. But at the end of two years he resigned the Marquis of Blandford to the care of others;* and he now appears for a considerable time to have been occupied as a travelling tutor to several young noblemen and gentlemen, on the continent. With the present Earl of Pembroke he visited France, Germany, and Italy; his tour with Mr. Whitbread,† the present member for Bedford,

* We are unacquainted with any church preferment which he might have derived from this munificent family, and only know that he is chaplain to his Grace the Duke of Marlborough, which we suppose is merely *titular*.

† Mr. Coxé entertained a great respect for this pupil, to whom

was still more extensive, while, in company with Mr. Portman, lately one of the representatives for Boroughbridge, and now knight of the shire for the county of Dorset, he added England, Scotland, and Ireland to the former route. His career as a traveller concluded with the present Marquis of Cornwallis, along with whom, while Lord Broome, he was only enabled to see part of Germany, for it would ~~neither~~ have been safe nor pleasant, at that period, to have visited France, as the war with England had just commenced. The disturbances then generally prevalent, at the same time precluded the possibility of contemplating many other interesting portions of the continent, for Switzerland was in arms, Italy itself was agitated, and even the obscure country of the Grisons, already betrayed symptoms of commotion.

It will be seen from the above slight sketch, that it might be said of Mr. Coxe, as of Ulysses :

“ Multorum videt urbes & hominum,”

for he had seen almost all the men of any note, and perhaps every great city on the continent of Eu-

he afterwards dedicated one of his works, in a manner equally devoid of meanness and flattery :

To

SAMUEL WHITBREAD, jun. Esq. M. P.

This third Volume of

Travels into Poland, Russia, Sweden, and Denmark,

Is inscribed,

As a testimony of esteem and friendship,

By the AUTHOR.

tope. In addition to this, he had rendered himself acquainted with the manners, customs, languages, and opinions, of all the neighbouring nations, and possessed the advantage of being introduced to the first company, and consequently of conversing with the first circles. It is but little surprising, therefore, that an active mind like his should have taken advantage of the opportunities and materials thus afforded, and produced those works which we shall now briefly enumerate in succession.

In 1790 appeared the three volumes of his "Travels into Poland, Russia, Sweden, and Denmark," which were published both in quarto and octavo.

In 1794 was published his "Political State of Europe."

In 1798 he presented to the world, "Memoirs of Sir Robert Walpole, Earl of Orford," in three volumes quarto, with the correspondence.

Having accompanied his friend, Sir Richard Hoare, Bart. on a journey to Wales, this gave rise to his "Historical Tour in Monmouthshire," which was not printed until 1801, three years after he had visited those scenes which he there describes.

In 1802 the public was presented with "Memoirs of Horatio Lord Walpole." This may be considered as a continuation of his former work, in which he was assisted not only with the papers, but with the recollections, and traditional anecdotes, of Horace Walpole, the late Earl of Orford, an author himself of some distinction. The immensity of Mr.

1808-1809.

D

Coxe's labours on the present occasion may be conceived from the bulk of the collections * submitted to his inspection, which consist of no less than one hundred and forty volumes folio.†

* The Otford, Walpole, Hardwicke, Townshend, Stanhope, Harrington, Waldegrave, and Sydney papers were on this occasion laid before him; as also those of the Grantham, Middleton, Devonshire, Egremont, Onslow, Weston, Poyntz, Keene, and Astle collections.

† Since the above article was written, the Editor has been furnished with the following, which exhibits a more correct list.

1. Account of the Russian Discoveries between Asia and America, to which are added the Conquest of Siberia, and the History of the Transactions and Commerce between Russia and China. This work, which has gone through four editions, is dedicated to "Jacob Bryant, Esq. as a public testimony of the highest respect for his distinguished abilities, the truest esteem for his private virtues, and the most grateful sense of many personal favours." Sixty copies were printed in large quarto, to correspond with the large paper copies of the author's other works.

2. Memoirs of the Life and Administration of Sir Robert Walpole, with original correspondence and authentic papers, never before published, 3 vols. 4to. The same work was also printed in 3 vols. 8vo. without the correspondence.

3. Memoirs of Horatio Lord Walpole, selected from his correspondence and papers, and connected with the history of the times, until his death in 1757. 4to.

4. An Historical Tour in Monmouthshire, embellished with views by Sir R. C. Hoare, Bart. engraved by Byrne, &c. containing ninety plates and a map.

5. Travels in Poland, Russia, Sweden, and Denmark, 5 vols. 8vo. This has passed through five editions, and fifty copies have been printed in 3 vols. 4to. to correspond with the large paper copies of the author's other works.

6. Travels in Switzerland and the country of the Grisons,

We lament to think, that with all his patronage, and all his claims on the public attention, the preferments of the subject of this memoir have been both tardily and inadequately bestowed. He had exactly attained the age of forty, when King's College presented him with the vicarage of Kingston upon Thames, in the county of Surrey, which he was obliged two years after to resign, in conformity to the statutes of that learned establishment, on obtaining the rectory of Tuggleston cum Bemerton, near Salisbury. Here he recovered his health, arranged his materials, and prepared his works for the press. In 1801, after he had passed his grand climacteric, he was presented by Sir Richard Hoare with the rectory of Stourton. Nearly at the same time, Dr.

3 vols. 8vo. fourth edit. with an historical sketch, and notes on the late Revolution.

7. Biographical Anecdotes of Handel and Smith, 4to. Printed on two different papers, and embellished with portraits.

8. Gay's Fables, with notes, by Mr. Coxe.

9. A Sermon on the excellence of British Jurisprudence, preached before the Hon. Sir Francis Buller, Bart. and the Hon. Sir Nash Grose, Knt. March 10, 1799, in the cathedral church of Salisbury, and published at their request.

10. Explanation of the Catechism of the Church of England.

11. An Abridgment of Secker's Tract on Confirmation.

12. A Letter on the Secret Tribunals of Westphalia, addressed to the Countess of Pembroke.

13. The History of the House of Austria, from the foundation of the monarchy by Rhodolph of Hapsburgh, in the thirteenth century, to the death of the late Emperor Leopold the Second, handsomely printed in two vols. 4to. with maps and genealogical tables.

Douglas, whose early years were spent in a manner similar to his own, nominated him one of the six canons of Salisbury cathedral, one of the three archdeacons of his diocese,* and also his own domestic chaplain.

Mr. Coxe is a member of the Royal Society of London, of the Imperial Œconomical Society of Petersburg, and of the Royal Society of Sciences at Copenhagen. In what manner he has passed both his youth and his maturer age, a perusal of his works will best shew. Few men, indeed, have been more laboriously, or more usefully employed; for in his pulpit or his study, both at home and abroad, the subject of this memoir has been constantly occupied in inculcating the principles of morality, in enlightening the mind, or endeavouring to mend and improve the heart.†

* Mr. Coxe is archdeacon of Wilts.

† The author of the "Pursuits of Literature" has, in some respects done justice to the talents of Mr. Coxe, whom he states to be "a gentleman of learning, ability, and information," and soon after adds, that he is "a writer of great respectability." Recollecting, however, that he was composing a "satirical poem," he characterises the subject of our memoir in the following four lines:

"Or from the Alps extend to Norway's rocks,
 "With Switzer-Russico-Kamtschatcan Coxe;
 "Then turn full-fraught from bleak Siberia's shore,
 "And leave us just as knowing as before."

The charge, as expressed in a note to p. 71, is, that Mr. Coxe is "too prolix and too voluminous:" "*Composuit octo volumina, inæte magis quam ineliganter.*" Suet. Claud. sect. 41. It is

We now take our leave of this classical veteran, with our best wishes for his health and happiness. May his days be long and happy, and may science illumine the evening of that well-spent life, which has merited, without obtaining a mitre!

"Aspettare e non venire
Stare in letto, e non dormire,
Servire e non grandire,
Son tre cose, di far morire."

SIR PHILIP FRANCIS,

KNIGHT OF THE MOST HONOURABLE ORDER OF
THE BATH, AND LATE M. P. FOR APPLBY.

THERE is something of what may be termed a *corporation spirit* in professions as well as in countries. Men become attached not only to their compatriots who live under a common system of governments and laws, but even to those within the limits of the same community, who follow the same or similar pursuits. As for us, we candidly confess that it is with peculiar pleasure we behold men of letters rising into importance, and occupying a dignified situation in the state. Nay, we even carry our views, (or our readers, if they be so inclined, may term them our *prejudices*) still further, and actually rejoice when we see the son of a man of

difficult, if not impossible, however, to reconcile the accusation of *ineptitude* with the character of *learning, ability, and information*!

letters occupying a distinguished station in our councils abroad, or forming a component part of our legislature at home.

"For my own part," says the historian of the Decline and Fall of the Roman Empire, "could I draw my pedigree from a general, a statesman, or a *celebrated author*, I should study their lives with the diligence of filial love. In the investigation of past events, our curiosity is stimulated by the immediate or indirect reference to ourselves; but in the estimate of honour we should learn to value the gifts of nature above those of fortune; to esteem in our ancestors the qualities that best promote the interests of society; and to pronounce the descendant of a king less truly noble than the offspring of a man of genius, whose writings will instruct or delight the latest posterity.

"The family of Confucius is, in my opinion, the most illustrious in the world. After a painful ascent of eight or ten centuries, our barons and princes of Europe are lost in the darkness of the middle ages; but in the vast equality of the empire of China, the posterity of Confucius have maintained, above two thousand two hundred years, their peaceful honours and perpetual succession. The chief of the family is still revered by the sovereign and the people, as the living image of the wisest of mankind."*

Philip Francis, of whom we are now about to treat, was born about the year 1748, and is a native of the county of Surrey, where his family was for some time settled. His grandfather was a dignitary of the Irish church, having been a dean in that portion of the empire. Philip the father, who was also bred to the same profession, received his education at the university of the Holy Trinity, Dub-

* *Memoirs of Mr. Gibbon*, written by himself, and published by Lord Sheffield, vol. i. p. 2, 3.

lin, and obtained the degree of D. D. there. Possessed of but a scanty patrimony, and having no ecclesiastical preferment, he for some time undertook the instruction of youth, during which period he lived at Esber; and in 1752 numbered the celebrated Gibbon among his pupils. He also addicted himself occasionally to literary pursuits, and produced two tragedies, "Eugenia," and "Constantia," both of which were acted in the metropolis. He was more distinguished however as a translator, for his versions of Horace and Demosthenes are greatly valued at this day. Even now, when the language is somewhat altered, and the taste of the times perhaps not a little changed, the lyric poet of the Augustan age continues to be admired in his English dress, while the great orator of antiquity exhibits much of his native vigour and dignity.

Nor was this all, for towards the beginning of the present reign, Dr. Francis entered the lists as a political writer; and among other persons of distinction, lived in great intimacy with Lord Holland, the father of the late Mr. Fox, who was then a great favourite at court, and consulted by his Majesty on many trying occasions. How far this circumstance may have been accompanied by any beneficial consequences, we are not prepared to decide. As to himself, he was promoted to the rectory of Barrow, in Suffolk, a living of considerable amount, and this he held along with the chaplaincy of Chelsea hospital, the latter of which he appears

to have retained from 1764 to 1768. But he resigned it some time previously to his death, which occurred at Bath, in March, 1773.*

* The late Dr. Francis lived on good terms with Dr. Johnson ; and it will appear from the following quotation, it was in consequence of an observation of his, that some of the *oratorical labours* of the great lexicographer were disclosed to the public :—
 “ Guthrie, the historian, had from July, 1736, composed the parliamentary speeches for the magazines ; but from the beginning of the session which opened on the 19th of November, 1740, Johnson succeeded to that department, and continued it from that time to the debate on spirituous liquors, which happened in the House of Lords, in February, 1742-3. The eloquence, the force of argument, and the splendour of language, displayed in the several speeches, are well known,” continues Mr. Murphy, “and universally admired,” &c.

“ That Johnson was the author of the debates during that period was not generally known ; but the secret transpired several years afterwards, and was avowed by himself on the following occasion. Mr. Wedderburne (afterwards Lord Loughborough and Earl of Rosslyn), Dr. Johnson, Dr. Francis (the translator of Horace), the present writer, and others, dined with the late Mr. Foote. An important debate, towards the end of of Sir Robert Walpole’s administration being mentioned, Dr. Francis observed, ‘ that Mr. Pitt’s speech on that occasion was the best he had ever read.’ He added, ‘ that he had employed eight years of his life in the study of Demosthenes, and furnished a translation of that celebrated orator, with all the decorations of style and language within the reach of his capacity, but that he had met with nothing equal to the speech abovementioned,

“ Many of the company remembered the debate ; and some passages were cited, with the approbation and applause of all present. During the ardour of conversation, Johnson remained silent. As soon as the warmth of praise subsided, he opened with these words : ‘ That speech I wrote in a garret in Exeter-street,’

His son, the subject of this memoir, was bred at St. Paul's school, under Mr. Thicknesse, the brother of the governor of the same name, who was allowed to be a man of great learning and talents.

At an early period of his life, in consequence of the influence of his father, Philip was patronized by the late Lord Barrington, who at that period presided at the War Office, and by whom he was first introduced into public business, in that department. Being a young man, of an ambitious turn of mind, he was eager to distinguish himself, and a favourable opportunity for that purpose soon presented itself in another hemisphere.

Our possessions in India, had, even at that period, become so extensive, as to engage the attention

The company was struck with astonishment. After staring at each other with silent amaze, Dr. Francis asked 'how that speech could be written by him'

" 'Sir,' said Johnson, 'I wrote it in Exeter-street; I never had been in the gallery of the House of Commons but once. Cave (the printer) had interest with the door-keepers. He and the persons employed under him gained admittance: they brought away the subject of discussion, the names of the speakers, the side they took, and the order in which they rose, together with the notes of the arguments advanced in the course of the debate. The whole was afterwards communicated to me, and I composed the speeches in the form which they now have in the Parliamentary Debates.' To this discovery Dr. Francis made answer, 'Then, sir, you have surpassed Demosthenes himself; for to say that you have exceeded Francis's Demosthenes would be saying nothing.'"

*Murphy's Essay on the Life and Genius of
Samuel Johnson, L. L. D.*

of the nation, and occupy the speculations of the cabinet. It is a well known fact, that we first appeared in the East in the character of merchant-adventurers, and so long as we retained our original views, enjoyed all the advantages arising out of a lucrative commerce, by the interchange of the commodities of Europe with those of Asia. A different system, however, soon began to prevail, and partly in consequence of the military talents of a young man,* who soon exchanged the pen of a writer for the truncheon of a general, and partly from an interested intervention in the disputes of the country powers, which obtained the specious name of an enlightened policy, we soon acquired an immense accession of territory.

After an unexampled degree of success, never before realised by any christian nation, our factories were converted into forts, and our merchants into soldiers and statesmen. From tributaries, we became sovereigns; our governors created and deposed zemindars, nabobs, and sultans at their pleasure; the *durbars* of the Asiatic princes were either intimidated by our threats, or regulated by our intrigues; while the spoils of nations were poured into the lap of Britain through the conduits of those public officers, who, under the ostensible character of governors, vested with a limited authority, had claimed and exercised a far greater degree of power than has

* Mr. afterwards Lord Clive.

ever been assumed by the kings of Great Britain in the worst periods of the worst reigns.

In this situation of affairs, a grand question was agitated, in respect to the *territorial sovereignty* of those newly acquired dominions, and on a reference to the law officers of the crown, they were of opinion, that it appertained solely to the king. This doctrine led first to a *concurrent*, and has at length produced a *paramount* jurisdiction, on the part of the English cabinet, without being hitherto attended, perhaps, with any permanent advantage to the state, the company, or the natives.

No sooner was such a complete victory, over a corporation in Leadenhall-street, to which so many sovereigns paid their homage, obtained, than it was determined, on the part of the British government, to give a new form to our establishments in the East. To avoid the jealousies and dissensions which had taken place, in consequence of a divided power, it was thought proper at length to establish a central authority at Calcutta, to which Madras and the other presidencies should be subject. Accordingly, Lord North, then in the zenith of his power, introduced a bill for this purpose, in 1773, containing a variety of regulations, by which the civil government of Bengal was to be vested in a governor-general and council, while the juridical administration was to be confided to a supreme court of judicature.

In conformity to the first of these plans, it was determined to send out three persons of known in-

tegrity and talents, not only to enforce the act in question, but also to constitute a majority in the council, by means of which the improvident expenditure of the revenue might be controled, the grievances of the country powers redressed, the interests of the company benefited, and the honour of the English name, which was supposed, not without truth, to have been tarnished by malversation and oppression, restored to its wonted lustre.

For the completion of these honourable purposes, two soldiers and one civilian were selected. Sir John Clavering, the commander in chief, was a man of some military reputation, and possessed a high character for integrity; these qualities, joined to a nice sense of honour, are supposed to have rendered him somewhat fiery and impetuous, whenever he witnessed any thing in the shape of injustice. Colonel Monson, the second, who had served and distinguished himself in India, possessed an unimpeachable reputation; and Mr. Philip Francis, then in the bloom of manhood, had at once the merit and good fortune of being selected as the last of this respectable triumvirate. Young, however, as he might be, he was the *man of business* selected to organize the plans, direct the proceedings, and regulate the conduct of the whole.

These, together with the new chief justice, Sir Elijah Impey, sailed from England in the spring of 1774, and arrived at Bengal in the month of October of the same year. The commissioners found the affairs of India in a critical situation. Hyder

Ally, an able and powerful chief, had about this period obtained a great sway in the East, so as to menace the safety of the British possessions, while the Bombay government, by the protection afforded to Ragonaut Row, who had been obliged to abandon Poonah and his country, in consequence of the assassination of his nephew, the young *paishwa*, laid the foundation of all the subsequent wars with the Mahrattas.

As it was to remedy these disasters that General Clavering, Colonel Monson, and Mr. Francis, were sent out to Bengal, they immediately laid it down as a maxim in the council, where they constituted a majority, "that peace with the country powers, together with an inviolable observation of public faith, and a strict attention to justice in all transactions with the natives, constituted the system of policy most advantageous for the interests of the nation."

Although they were opposed by the governor-general* and one of the old members, yet they

* Mr. Hastings and the late Mr. Barwell. The former of these, who had been nominated governor-general of Bengal, in 1773, for five years, under the authority of an act of parliament, first entered into the civil service of the company in 1750, and rose through the various gradations of office to the supreme command. After being exposed to a prosecution, which, on account of its extraordinary length, became at last exceedingly unpopular, this gentleman retired on a pension, presented by the company; and he who at one period ruled over a large portion of India with despotic

continued to effect many salutary changes. They totally reprobated the Mahratta wār, and condemned the conduct of the government of Bombay, which had adopted strong and impolitic measures, without any participation with the presidency of Calcutta. The alliance with Ragobah was therefore disavowed, and an officer* sent across the continent of India to Poonah, who concluded the treaty called the Poorunder, which was ratified on the first of March 1776. By this, the island of Salsette, with the territory of Baroach, were ceded to the company, while the Mahrattas at the same time agreed to indemnify the authors of the war for its expences, by the payment of 150,000*l*. But the death of Colonel Monson in 1776, and of General Clavering in 1777, against the latter of whom, although commander in chief, the gates of Calcutta had been shut, totally changed the state of affairs; Mr. Francis being now left in a minority, so that thenceforth, instead of new reforms being adopted, the old were exploded with a degree of eagerness, that reflected but little honour on either the faith or the stability of the English councils.

authority, at this moment occupies no higher situation in England than that of a simple country squire.

Mr. Barwell, the strenuous supporter of Mr. Hastings' measures, returned home with an immense fortune, purchased Stanstead Park, in Sussex, obtained possession of a couple of boroughs, and after dissipating a large fortune, died greatly involved, in 1805!

* Colonel Upton.

A fresh war with the Mahrattas ensued, and such a melancholy prospect presented itself to the minds of the directors, that they passed a resolution for the recal of Mr. Hastings, in which, however, they were not supported by the court of proprietors, which negated that measure.

But the talents and activity of the governor-general were never more conspicuous than at this critical period, for he contrived sometimes to divide, and at all times to overcome the enemies whom he had excited against him. He augmented the revenues of Bengal, he added greatly to the extent of territory before possessed by the company, and thus placed himself and the nation in such a *delicate state*, that when reproached with the manner in which this wealth and these acquisitions were obtained, his partisans, with equal frankness and audacity, declared that it would be the grossest injustice to punish him for malversation, without at the same time restoring the property so obtained to the right owners !

At length the sole surviving member of the three who had been sent to India in 1774, after a duel with Mr. Hastings, arrived in England in 1781,*

* Mr. Burke, while defending Mr. Fox's India bill in the House of Commons, paid a high compliment to the commissioners sent to India. On this occasion, after having pronounced that the government of the country was absolutely incorrigible, he continued in the following strain :

“ If the court of directors had not uniformly condemned every

and we find him soon after aspiring to a seat in the legislature of his native country. He was accordingly returned a member to the parliament suddenly

act which that house, or any of its committees, had condemned—if the language in which they had expressed their disapprobation had not been more indignant than any ever employed in that house, I should have entertained some hopes. But when I think of the uniformity of their support to the objects of their uniform censure, and the state of insignificance and disgrace to which all those had been reduced whom they approved, and that even utter ruin and premature death had been among the fruits of their favour, I must be convinced that in this case, as in all others, *hypocrisy* is the only vice that never can be cured.

“The death of Colonel Monson and Sir John Clavering, and the disgrace of Mr. Francis, men who had been sent out to reform the abuses of the company’s government, and whose conduct had received their uniform applause, amply confirm this observation.

“But far worse has been the fate of the poor creatures the natives of India, whom the hypocrisy of the company had betrayed into complaint of oppression and discovery of peculation. The first woman in Bengal, a person of princely rank, who had paid above 200,000*l.* a year quit-rent to the state, was, according to very credible information, so completely beggared by her thoughtless trust in the company’s honour, as to stand in need of alms.

“The affair of Nundcomar was well known. By an insult on every thing which India held respectable and sacred, he had been hanged for a pretended crime, by an *ex post facto* British act of parliament, in the midst of his evidence against Mr. Hastings. The accuser they saw hanged. The culprit, without acquittal or enquiry, triumphed on the ground of that murder; a murder not of Nundcomar only, but of all living testimony, and of evidence yet unborn. From that time, not a complaint had been heard from the natives against their governors. All the grievances of India had found a complete remedy.”

convoked in 1784,* when a young statesman, supported by the crown, for the first time in the annals of this nation, subsequent to the Revolution, acted in direct opposition to the sense of the House of Commons.

On this occasion, Mr. Francis, with his usual character for decision, sided with Mr. Fox; and we find him, March 7, 1786, moving for leave to bring in a bill, to explain the *new* act introduced by the new premier, for regulating the affairs of the India company. He seized that occasion to condemn many parts of Mr. Pitt's original project, more especially the cruelty and injustice of obliging persons returning from the East to deliver, upon oath, a statement of the amount of their fortunes, which article was afterwards expunged. The clashing and opposite interests of the court of directors and board of control were also animadverted upon, as well as a variety of other particulars, in which the project was notoriously defective.

The matter under consideration was, however, disposed of by the *previous question*; notwithstanding which, Mr. Dundas (now Lord Melville) intimated a design to bring in a bill to amend the regulation act alluded to above. But when that gentleman, who then presided over the India board, some time after suggested his *amendments*, they

* Mr. Francis, we believe, was first returned for Yarmouth, in the Isle of Wight; in 1790 he came in for Blechingley; he afterwards stood for Tewkesbury, and lately represented Appleby.

were found to consist of an increase of power to the governor-general, who was to be allowed, in certain cases, to decide in opposition to the sense of the council. He was to be permitted to nominate a successor on the death of any member of that body, instead of allowing the oldest servant of the company in succession to become so, as a matter of course. In addition to this, it was proposed for the future, to vest the offices of commander in chief and governor-general in the same person.

Upon the question for the Speaker's leaving the chair to go into a committee on the bill, Mr. Francis strenuously opposed all further proceedings. He said that he had lately delivered his sentiments at large upon the act of 1784 ; but with all its absurdities, he thought that measure far less exceptionable than the one now under consideration, and he predicted the most fatal consequences from the arbitrary power which was to be confided in the hands of the chief governor.

In 1788, when Mr. Pitt introduced his new declaratory bill relative to India, Mr. F. undertook to prove the measure in question in every sense of the word unnecessary: "The existing establishment was abundantly adequate, in his opinion, to the defence of our possessions in Asia. We had a native army of 50,000 sepoys, infinitely better fitted for the climate, infinitely more patient and capable of fatigue, as well disciplined, and as much to be depended upon as any regiment that ever went out from England." He then quoted the authorities of Lord Clive, General Lawrence, General Carnac, Sir John Claver-

ing, and Sir Hyde Coote, all of whom agreed in support of these assertions.

He defied any one to state a rational motive for preferring a declaratory to an enacting bill, and added, that patronage was not the principal object, but the increase of military power.

On the question of Mr. Dundas's East-India budget, a very short time after, Sir Philip pointed out many "gross errors:" he denied that the resources of the East-India company had as yet been brought on a level with their expenditure; on the contrary, he maintained that the debt of Bengal had increased during the last year more than 12,000*l*, while the debts to be discharged were augmented by a sum of 50,000*l*. This assertion was indeed supported by Mr. now Sir Francis Baring, who candidly allowed that Bengal absorbed the whole of its annual revenue, and something more than the whole.

In the session of 1788, when Mr. Hastings had delivered in his answer to the articles of impeachment, exhibited in the name of the people of England, at the bar of the House of Lords, the Commons immediately proceeded to the appointment of a committee who should prepare a reply. Upon the name of Mr. Francis being put, a division ensued—*Ayes* 23, *Noes* 97. This circumstance was highly unacceptable to the original promoters of the prosecution, and called forth a most animated remonstrance on the part of Mr. Burke, the father of the measure.

When the managers were about to be nominated, Mr. Fox seized that opportunity to move that the name of this gentleman might be added. He enumerated the different qualities which he deemed requisite in a person who should become an accuser in the name of the public, and endeavoured to shew that all these centered in the gentleman proposed by him.

"In such a character, innocence and integrity were indispensable ingredients. It was necessary also that he who preferred an accusation against another, should himself be blameless, and his reputation unsuspected. That this was the case with Mr. Francis was universally known. He had been selected a parliamentary delegate to India in the year 1773, in consequence of the reputation he bore. He had returned with the approbation and confidence of the East India company; and the testimony of his friends was corroborated and confirmed by that of his enemies.

"By a steady hostility to the malversation of others, he had provoked the most rigid scrutiny into his own conduct. Had any acts of delinquency been discoverable in him, they must long since have been brought before the public.

"It was fit that an accuser should possess talents. What the natural abilities of Mr. Francis was, it were needless to state in a place where they were so well known. What were his acquired abilities on the subject of the prosecution, must be equally evident from the opportunities he had enjoyed. It was much to have been in India; it was much to have been acquainted with the evasions and tergiversations under which Mr. Hastings had been accustomed to screen his obliquities. There were but few men from that quarter who would dare to assume the character of an accuser, or whose own conduct would stand the test of enquiry.

"Lastly, he conceived that it was no less requisite in an accuser, that he should entertain no partiality in favour of the accused; that he should not be indifferent to the end of the prosecution;

and that he should be animated with an honest indignation against the crimes and the criminal, whom he attempted to bring to justice.

“ If Mr. Francis were disposed to cherish enmity to Mr. Hastings, it was not a private, but a public enmity ; a dislike not founded on antipathy to his person, but in a just sense of the crimes he had committed, and the trust he had abused.”

Towards the conclusion, Mr. Fox entered into an eulogium on the conduct of this gentleman, relative to his plans for the government of our Asiatic settlements, and observed : “ If ever India should be well governed, if the corruptions that had prevailed in that country should ever be corrected, their discovery was to be imputed to Mr. Francis. He had, with infinite application and ability, brought forward the abuses of the East India administration to the notice of this country. By means of his local and personal knowledge, he had developed the whole mystery of corruption. He had enforced it on the conviction of the house ; he had persuaded an unwilling evidence, for no man was willing to become an accuser. Would the house, now that they had adopted the accusation, and made it their own, prevent its author from supporting it at the bar of the House of Lords, where he only could support it with effect ?”

Mr. Windham, another of the managers, followed Mr. Fox, and delivered his sentiments on the same subject.

He observed, “ That in all judicial proceedings the truth was to be discovered through the contention and opposition of the parties, or their advocates. It was, perhaps, by confounding the functions of a witness and an accuser, that members were induced to entertain so ill-founded an idea, as that private resentment unfitted a man for the character of an accuser. Even a witness was not disqualified for partiality ; for, in fact, every witness was in some degree partial ; and if the judge perceived in him a more than ordinary degree of animosity, he only heard him with the more caution, and questioned him with the greater strictness.

“ But did Mr. Francis really labour under that impression ? He

could see no reason to imagine it, unless the necessary consequence of a duel was perpetual enmity. Would a private individual, having a law-suit with another, and that other fastening a quarrel upon him, immediately, on that account, relinquish his cause, and give up his property? Mr. Windham hoped that no one would pretend to argue, that it would be more incumbent where the person was only a trustee for another. This was Mr. Francis's case; he had been entrusted by the public, he saw the public wronged by Mr. Hastings, and he determined to do justice to his masters, by bringing the delinquent to an account for his malversation. The delinquent quarrelled with him, and they fought; and for that reason, merely because a private injury was superadded to public offences, the public were to lose the means of bringing to punishment the person who had violated the trust they had reposed in him."

Mr. Pitt having observed, "that the question, in his opinion, was a question of feeling, and not of argument," and that he was disinclined "to appoint as a representative of the House of Commons, the only member who had, on a former occasion, been engaged in a personal contest with the accused," Mr. Burke ridiculed these allegations with considerable force and effect.

"Was it fit or becoming in the character of a legislator, on a great and important question, to say that his feelings were so much hurt, that he found himself compelled to abandon investigation and argument, that he might not violate his delicacy? What was delicacy? It was but a term, to which no definite idea had been found. It was at best but a superadded flower to virtue, an ornament, the absence or the presence of which was alike indifferent to the substance. Delicacy and feeling might be very proper terms to express the sensations arising from the exertions of an Opera singer, but they were an insult to the solemnity and magnitude of parliamentary deliberation."

After Mr. Sheridan had also attacked the Premier on the same subject, and Mr. Dundas reluctantly expressed his assent to the nomination, Mr. Francis himself arose.

He remarked, "that he had attended the debate very much against his inclination, although he could not with propriety have avoided it. It was incumbent on him to appear, and be ready to answer to any thing, which in the judgment of the house might have called for explanation. But he now found that the objection turned upon no imputation against his character, no suspicion upon his actions, but merely on a point of honour."

He then entered into a review of his conduct respecting Mr. Hastings since his return to England, seven years before, when he had been almost immediately called upon to give evidence before a committee of the House of Commons. Could he, without treachery to the public, have refused every information in his power? If not, the single question was, in what form did it become him to act? In the character of an evidence only? Would that have been a part to which no enmity, no malice could have been imputed? Would it have been honourable in him to stand aloof and hide himself, while in fact he supplied the information, furnished the materials, and prompted the prosecution?

"Was he thought to have acted dishonourably, because he declared himself the responsible accuser of Mr. Hastings; because he avowed his principles, and hazarded all the consequences of obloquy, retaliation, and revenge, which a public prosecutor must encounter, but which a secret and skulking accuser might easily avoid? He did not mean to say, that the circumstance of his having a duel with Mr. Hastings had never occurred to him as an objection, which might possibly have weight with others, although to him it appeared of no consequence. He had originally advised on the subject with Sir William Draper; his conduct had been more recently approved by General Burgoyne; men who might be supposed to be no mean judges on a point of honour."

He added, "that while he lamented the consequences of a vote that should exclude him from any share in the impeachment of

Mr. Hastings, he trusted that no one would think it possible that he meant to solicit the house to alter their resolution. He owed every assistance to his friend, Mr. Burke, in the task he had undertaken; but exclusively of that consideration, what could he desire better than to be absolved, without disgrace, from any further concern in this toilsome, invidious, and most unthankful office?"

The house having divided on the question, the *Ayes* in favour of Mr. Francis were 62, and the *Noes* 122, on which the name of Mr. Frederic Montague was substituted.

But this only afforded a new opportunity, to exhibit the merit and consequence of that gentleman, for a letter* was soon after addressed to him by Mr.

* *Copy of a letter from the Committee of Managers of the Impeachment, to Philip Francis, Esq. dated Committee Room, House of Commons, Dec. 16, 1787.*

"SIR,

"There is nothing in the orders of the house which prevents us from resorting to your assistance; and we should shew very little regard to our honour, to our duty, or to the effectual execution of our trust, if we omitted any means that are left in our power to obtain the most beneficial use of it.

"An exact local knowledge of the affairs of Bengal is requisite in every step of our proceedings; and it is necessary that our information should come from sources not only competent but unsuspected. We have perused, as our duty has often led us to do, with great attention, the records of the company, during the time in which you executed the important office committed to you by Parliament; and our good opinion of you has grown in exact proportion to the minuteness and accuracy of our researches. We have found that as far as in you lay, you fully answered the ends of your arduous delegation. An exact obedience to the authority placed over you by the laws of your country, wise and steady prin-

Burke, signed by all the managers, requesting his assistance and advice in the important business on which they were then engaged.

ciples of government, an inflexible integrity in yourself, and a firm resistance to all corrupt practices in others, crowned by an uniform benevolent attention to the rights, properties, and welfare of the natives (the grand leading object in your appointment) appear eminently throughout those records. Such a conduct, so tried, acknowledged, and recorded, demands our fullest confidence.

“ These, Sir, are the qualities, and this is the conduct on your part, on which we ground our wishes for your assistance. On what we are to ground our right to make any demand upon you, we are more at a loss to suggest. Our sole titles, we are sensible, are to be found in the public exigencies, and in your public spirit. Permit us, Sir, to call for this further service in the name of the people of India, for whom your parental care has been so long distinguished, and in support of whose cause you have encountered so many difficulties, vexations, and dangers.

“ We have expressed sentiments in which we are unanimous, and which, with pride and pleasure, we attest under all our signatures, entreating you to favour us as frequently as you can, with your assistance in the committee; and you shall have due notice of the days on which your advice and instructions may be more particularly necessary. We have the honour to be,

“ With the most perfect respect, Sir,

“ Your most faithful and obliged humble servants,

“ EDMUND BURKE, Chairman.

Charles James Fox,	Maitland,
R. B. Sheridan,	Dudley Long,
Thomas Pelham,	John Burgoyne,
W. Windham,	Geo. Aug. North,
Gilbert Elliot,	St. Andrew St. John,
Charles Grey,	Richard Fitzpatrick,
William Adam,	Roger Wilbraham,
John Anstruther,	John Courtenay,
M. A. Taylor,	James Erskine.”

It was observed, " there was nothing in the orders of the House of Commons that prevented this application, and they would show little regard to their honour, their duty, and the effectual execution of their trust, if they neglected the means that were left in their

Extract of Sir Gilbert Elliot's (now Lord Minto and Governor-general of Bengal) speech, on moving the first charge against Sir Elijah Impey, 12th Dec. 1787.

" I would do much, Sir, at this time, and in a cause in which I am not ashamed to own it, to court the favour of this assembly and of power; but I will not, even in these circumstances, refrain from saying, that the disposition of this house, and of those who have much weight in this place, and much authority in this country, towards the honourable gentleman (Mr. Francis) I have alluded, does no credit to the house, to government, or to any individual to whom the observation can apply.

" It but ill evinces any just or sound view of the principles on which public men are to be countenanced and supported, to see every consideration which could give splendour to a character, which should excite admiration, command applause, honour, and reward, which should draw the grateful thanks, and bind the hearts of his country and mankind, all yield and fall before the most unfounded, the most petty, and capricious prejudices, prejudices the most entirely personal, and the least connected with any manly, rational, or honourable estimate of character, that ever disgraced the wayward choice or antipathies even of children.

" Sir, I do not hope to correct the vice I am lamenting; but I have a right to speak my mind of it; and inconsiderable as I am, I know that the justice of this rebuke will give it weight.

" Another cause for my concern at this disposition of the house towards my honourable friend is, that it is a heavy discouragement to the hopes of reform, and of benefit to India, that we should yet be so far removed from the sound and efficient principle of that reform, which I have endeavoured to shew on another occasion, consists, above all, in a just discrimination between merit and

power. An exact local knowledge of the affairs of Bengal, was requisite in every step of their proceedings, and it was necessary that their information should come from sources, not only competent but unsuspected.

misconduct, and in a steady distribution at home of honour and reward to those who have done their duty abroad, as of disgrace and punishment to the disobedience and crimes of others.

“ If the members of this house be indeed so little read in their duties, or be prepared to sacrifice their most sacred obligations to partialities, which, although still I fear, at the bottom of their hearts, are such as they are justly ashamed to avow; all I can say is, that for one, I am determined, here, in the very seat and center of what I think this criminal disposition, to withdraw myself at least from all suspicion of partaking in its guilt.

“ In delivering my opinion of my honourable friend, I am not so madly vain as to think it can add any thing to his honours; it is to do myself honour, that I say here what I have often said elsewhere, that of all the great and considerable men whom this country possesses, there is not one in the empire who has a claim so much beyond all question, who can show a title so thoroughly authenticated, as this gentleman, to the admiration, the thanks, the reward, the love of his country, and of the world. If I am asked for proof, I say, the book of his life is open before you; it has been read, it has been examined in every line by the diligent inquisition, the searching eye, of malice and envy. Has a single blot been found? Is there one page which has not been traced by Virtue and by Wisdom?—Virtue, Sir, not of the cold and neutral quality, which is contented to avoid reproach by skinking from action, and is the best ally of vice—but virtue fervent, full of ardour, of energy, of effect: wisdom, Sir, not the mere flash of genius and of talents, though these are not wanting; but wisdom informed, deliberate, and profound. I know, Sir, the warmth imputed to, nay possessed by that character; it is a warmth which does but burnish all his other virtues. His heart is warm, his judgment is cool, and the latter of these features none will deny, except those, who have not examined, or wish to disbelieve it.”

"They had perused with great attention the records of the company, and they had found there inculcated, on the part of Mr. Francis, wise and steady principles of government, an exact obedience to the authority placed over him, an inflexible integrity in himself, and a firm resistance to all corrupt practices in others, crowned by that uniform benevolent attention to the rights, properties, and welfare of the natives, which had been the leading object in his appointment. Such a conduct, so tried, acknowledged, and recorded, demanded their fullest confidence; and such were the qualities that had excited their wish for his assistance. They were all unanimous in the sentiments they expressed, and had therefore pleasure and pride in attesting them under their signatures."

The trial of Mr. Hastings is as yet too recent for animadversion. Never were so many able men employed before, in bringing a supposed criminal to justice; never were greater abilities displayed, or greater hopes entertained, or more sanguine expectations blasted. Never was any accusation, originally, more popular, or perhaps more just; never did any prosecution, towards its conclusion, become more indifferent, nay more odious; and whoever may have been to blame, the fact is, that an impeachment of seven years duration seemed to violate not only all the feelings of mankind, but every principle of criminal jurisprudence.

About this period the public, in consequence of some gross and unqualified instances of abuse, became alive to its own immediate interests, and called aloud for a reform in Parliament. Most of those lately in office joined in the proposition, and Mr. Francis, in conjunction with them and many other

respectable persons, evinced an earnest wish for such a change as might be bottomed on the original principles of that constitution, which it was intended to rescue from corruption. His zeal on that occasion was not exerted with impunity, for it was alike remembered and misrepresented; nor was the wound less keen, because it proceeded from the hand of a man, with whom he had once lived in the most unreserved habits of friendship. This charge, however, was replied to, and refuted, through the medium of a periodical publication.*

* *Copy of a letter from Philip Francis, Esq.*

St. James's-square, Feb. 20, 1797.

" In the 71st page of a printed letter from Mr. Burke to the Duke of Portland, without a date, I find the following assertions:

" " Some of these gentlemen, who have attacked the House of Commons, lean to a representation of the people by the head; that is, to *individual* representation. None of them, that I recollect, except Mr. Fox, directly rejected it. It is remarkable, however, that he only rejected it by simply declaring an opinion: he let all the arguments go against his opinion. All the proceedings and arguments of his reforming friends lead to individual representation, and to nothing else. It deserves to be attentively observed, that this individual representation is the *only* plan of their reform which has been explicitly proposed."

" And in page 81, I am named as one of a phalanx, to whom not only these views, proceedings, arguments, and plans of parliamentary reform are imputed, but who had thought proper to treat *him* as a deserter, as if he had sworn to live and die in *our* French principles. I believe I shall sufficiently clear myself from these imputations by declaring, as I do:—

" 1st, That having been a member of the society of the Friends of the People, and having had a share in the conduct of their pro-

At the general election, in 1796, Mr. Francis stood for Tewkesbury, in conjunction with Mr. Moore. On this occasion, they endeavoured to

ceedings, I know not of any act, order, resolution, proposition, motion, or proceeding of any kind, in that society, in favour of individual or universal representation.

" 2d, That I am morally certain, that, if any motion to that effect had been proposed, it would have been rejected by a very great majority of the whole society.

" 3d, That, if it had been possible for such a motion to prevail, I would have quitted the society, and opposed their proceedings.

" 4th, That in fact a very different principle of reform, and incompatible with that imputed to us, viz. by extending the right of voting to all householders paying parochial taxes, and stopping there, was unanimously adopted by the society on the 9th of April, 1794.

" 5th, That on the 30th May, 1795, the society unanimously approved of a plan formed by me on this principle, and recommended it to the consideration of the public; and that this plan was published in all the newspapers.

" 6th, That I have, on all occasions, resisted and reprobated to the utmost of my power the idea of individual or universal representation, particularly at a meeting of the society on the 8th of March, 1794, at which I expressly treated it as *a dangerous chimera, set up on purpose to delude the lower classes of the people.*

" In the House of Commons, on the 23d of January, 1795, the following words make part of my answer to the Attorney-General:—

" 'With respect to universal representation, and all the dangers and all the reproaches attached to it, I must say, that I think the learned gentleman ought to be careful to distinguish those who profess to have such a scheme in contemplation, and others who reject it with a disapprobation as full and entire, though not perhaps with such extravagant horror as he does. He ought to have known that the idea of universal representation was never encour-

establish the franchises of the freemen and freeholders, but their opponents, who advocated the exclusive rights of the housekeepers, were returned.

raged or countenanced by any act or declaration whatever of our association. If he knows any thing to the contrary, I call upon him now—I challenge him to point it out. Of me, in particular, he must have known, and, in candour, he ought to have acknowledged, that it is not possible for any man to go further than I have done, to reject, to resist, and to explode every project of that nature, and every principle and argument set up to support it; a project, however, so chimerical, and so utterly impracticable, that it is superfluous to load it with charges of danger and malignity. But, let the doctrine I allude to be ever so mischievous, is it in fact, is it in truth the real object of all the apprehensions and terrors which are said to be excited by it?—I do not believe it; I do not believe that the enemies of reform are so much terrified by it as they pretend to be. They know, as well as I do, that it is nothing but a vision which can never be realised. No, Sir; whatever they may pretend, this is not the true ground of their uneasiness. It is the reasonable, the moderate, the practicable plan which really fills them with terror and anxiety. That, perhaps, might be accomplished; the other never can, nor, if it were even to obtain for a moment, could it possibly subsist; and I am convinced, that, if it were possible to drive those persons to an option, they would prefer the worst to the best; because they would foresee that the mischiefs inevitable in the execution of such a scheme, or even in the attempt, would determine every reasonable man in the country to revert and submit to the present system; that is, to suffer the constitution to languish and dissolve in its corruption, or gradually to perish by decay, rather than to encounter the direct and positive dangers of a change so violent and extreme, to which their minds would naturally unite the certainty of instant destruction.

“ In my speech on the slave trade, on the 11th of April, 1796, there is the following passage :—

On this, they presented a petition, and a committee was nominated, but without effect. In 1802, Mr. Francis proved more fortunate, having been returned for the borough of Appleby without opposition, and without expence.

In consequence of his intimate knowledge of the affairs of the East India company, it will be naturally supposed, that Mr. Francis has let no opportunity slip of delivering his opinion on that subject. When Mr. Dundas was accustomed to bring forward his annual statements to the house, and boast of an increasing revenue from our settlements in Asia, that would one day contribute to the payment of our national debt in Europe, it fell to the lot of the subject of this memoir to reply to, and confute these assertions, which are now proved to be fallacious.

In 1790, in particular, after listening to a detailed account of revenue and expenditure, the ba-

“ ‘ In the lowest situations of life the people know as well as we do, that wherever personal industry is encouraged, and property protected, there must be inequalities of possession, and consequently distinction of ranks. Then come the form and the order, by which the substance is at once defined and preserved. Distribution and limitation prevent confusion, and government by orders is the natural result of property protected by freedom. Take care that you adhere to it. Where the few possess all, and the multitude have nothing, there is no government by orders. Every thing is an extremity, and nothing in gradation.’ ”

“ Whether these are French principles or not, I neither know nor care. I assert that they are mine.

“ PHILIP FRANCIS.”

lance of which constituted an exceeding of 2,147,815*l.* applicable to the discharge of debts and purchase of investments, Mr. Francis rose in his place, and the speech uttered by him tended not a little to dissolve the fairy vision of Eastern prosperity.

“ He insisted that the true, the proper, and the only intelligible proof of the propositions in question, would have been to have produced a short and simple account of debts paid off, of an investment purchased with a surplus of revenue, of nett profit upon that investment, and of a thriving, happy, industrious people in the Indian provinces under our dominion.

“ What signified all the right honourable gentleman's arithmetic, when the notorious facts were, that we had no return from India, but a return or transfer of debts, which the Company could not pay, and which sooner or later must fall upon the shoulders of England, when the Company, instead of discharging their bonds, and clearing themselves from the burthen of their debts at home, were every year coming to parliament for assistance, for leave to borrow more and more money, for an authority to increase their capital, or for the direct power of the legislature to protect them against their creditors, either by authorising them not to accept, or not to pay the bills they had accepted; and, finally, when the letters from Lord Cornwallis, now lying on the table, described Bengal as a declining and almost ruined country.

“ As a proof of the distress of the Company's affairs at home, and the poverty of their treasury, he stated, that they were then taking up silver, tin, and copper upon credit, which formerly they used to pay for with ready money. The discount upon their Bengal bonds he also considered as another symptom of distress.

“ With regard to Bengal, Mr. Dundas had said, that the *jummas* being collected entire was a proof of the prosperity of a country, and that therefore Bengal was most prosperous. Neither the premises nor the inference were founded on fact, since an oppressive go-

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verment might get their revenue entire, and the country be nevertheless rapidly going to ruin.

“ Mr. Francis proceeded to take notice of what Mr. Dundas had said respecting the revenue arising from salt. He had truly stated salt to be a necessary of life in Bengal more than in any other country. It actually was so; and nature seemed to have considered the circumstance, as it hath made salt one of the cheapest manufactures of the country. They could get it there for next to nothing, if an oppressive revenue were not derived from it. The late Lord Clive, who was accused of having established a monopoly of salt, had expressly provided, ‘ That the price of salt, sold by the Society of Trade, should never exceed 200 rupees per 100 maunds;’ and Mr. Bolts, who stretched every thing to the utmost that could be brought to bear against the government of Lord Clive, stated 500 rupees per 100 maunds, as the highest price to the consumer.

“ The selling prices of the Company at Calcutta, appeared to have been in August, 1789, about 300 Sicca rupees per 100 maunds. At one period within these two years, the price, at the Company’s sale, had got up to the enormous amount of 700 Sicca rupees; upon which there was also to be a proportionate increase for profit and charges on the retail.

“ But supposing the final retail price of salt, in the provinces, to be 700 Sicca rupees per 100 maunds, it would then cost the consumer twopence three farthings per pound English. Every individual native would, as long as it is possible for him to get it, consume half a chittac, or one ounce per day; consequently a family of five persons, living on the labour of one man, must spend 5-16ths of twopence three farthings in salt, or about three farthings a day. The medium price of labour throughout Bengal, is one anna and half per day, or threepence halfpenny English. Consequently, when he has paid for the salt, without which his vegetable food would be poison to him, he has just seven farthings a day left to provide himself, a wife, and three children, with every other necessary of life, and to pay some rent for a mud house; not to mention any allowance for salt for his cow, if he has one;

for without salt the cattle in that country cannot exist for any useful purpose.

“ Mr. Francis concluded with some observations upon the letter of Lord Cornwallis, dated 2d August, 1789; and while he pointed out again, as the article which ought to be encouraged, he severely reprobated the extension of the cultivation of opium, ‘ poppies, in every sense of the word, being the most noxious weeds that ever grew.’ ”

Meanwhile, Mr. Francis suffered no opportunity to pass by, without reminding the House of Commons and the nation, of the impolicy as well as injustice of the frequent wars in India. On March 24, 1804, after adverting to the 35th clause of the 24th of the King, viz. “ Whereas to pursue the schemes of conquest and extension of dominion are measures repugnant to the wish, the honour, and the policy of this nation, &c.” he entered into an elaborate discussion of the affairs of India.

“ Since the Prohibitory Act passed in 1784,” says he, “ I appeal to the house whether we have heard of any thing from India but war and conquest; many victories and great acquisitions, with only now and then a short interval of repose, to take breath and begin again. There is another ground of presumption against the necessity and justice of these wars, which seems to me as strong and conclusive as any presumption can be before the contrary is proved; I mean, Sir, that almost all these wars are supposed to originate in acts of provocation and aggression committed by the weak against the strong.

“ The strength of any single Indian state at any time, and now I believe of all of them put together, is not to be compared to the military power and resources of the English.

“ I do not say that these nations have no means of defence, or that the Mahrattas, for example, can do us no mischief; but

that, considering the great disparity of force, it requires very clear evidence to make it credible, that whereas the disposition of the British power in India is always, if possible, to preserve the peace, and to be satisfied with what we possess, this excellent disposition is never suffered to prevail, because the Indian princes are so restless and unruly, that we cannot, in common justice to ourselves, refrain from invading them. The fable says—the fierce, rebellious lamb would never suffer the mild, gentle, moderate wolf to be quiet: *if it was not you, it was your father.*

“These propositions *may* be true, but they require some proof; and, when the proof is produced, I shall desire it always to be observed and remembered, that the evidence which comes before us is *ex parte*. We hear little or nothing of what the opposite, and possibly the injured party, have to say for themselves.

“Ever since I have known any thing of Indian affairs, I have found that the prevailing disease of our governments there has been a rage for making war. The strong, though ineffectual remedies which have from time to time been applied to this disorder, are a sufficient proof of its existence. That individuals may find their account in the conduct of such wars, I do not mean to dispute; but I deny that they are or can be for the benefit of the India company, or the nation, particularly in the present circumstances of the Company's affairs. In these circumstances, and in actual possession of half the peninsula, you engage in a new war with the Mahrattas, the success of which can give you nothing but an addition of territory, which you cannot keep without an intolerable increase of your military establishments, and a perpetual drain of all your resources, of men as well as money, and which you ought not to keep if you could. Whether the Mahrattas have united in defence of their country, or to carry the war into the heart of our best provinces, as they have done in former times, or with what loss or expence our success against them may have been purchased, are questions on which we are utterly in the dark. By public report alone we are informed, that a war of great extent at least, and liable to many important consequences, is now carrying on in India, and that no information of it has been communicated to parliament.”

He then concluded with a call for papers relative to the hostilities subsisting between the English presidencies and the Mahrattas, but on the declaration of Lord Castlereagh, "that the government was not in possession of the circumstances which preceded the rupture," he withdrew his motion.

A few days after this (May 3, 1804) he opposed the proposition "that the thanks of the house be given to the Marquis of Wellesley, and to the officers and soldiers concerned in achieving our late successes in India, &c." on the principle, that the terms were so worded, as to include an approbation of the causes of the war.

"The noble lord (Castlereagh)," said he, "talks with triumph and exultation of the rapid progress of our arms, and the immense acquisitions of territory we have made in the Guzzerat and elsewhere. He forgets that the positive law of this country, founded on the best considered principles of policy and justice, and confirmed by the advice of every man in this country whose authority deserves to be regarded, forbids any further acquisition of territory in India. *Prima facie*, a British governor, who makes war for the acquisition of territory, offends against the law, and is bound to justify himself on the case before he can be acquitted.

"On the whole, Sir, it is my opinion that this motion of thanks to Lord Wellesley ought to be deferred. I have no personal object to obtain, or even a wish to gratify, in the part I have taken on this subject, unless it is to preserve the consistency of my own character, and to adhere to the principles with which I set out in the government of India, and from which I never have departed.

"Thanks given without knowledge or deliberation do no honour to those who give, or to those who receive them. They have no root, and cannot live. Let the evidence come before us. Let

the noble lord's conduct be examined, and then if it should appear that the war, in which India is involved, was not voluntary on his part; that it was founded in justice and necessity, I shall be as ready as any man to join in the thanks proposed by this motion. The thanks of the House of Commons, founded on due examination, and including all the considerations that belong to the question, will then proceed with dignity. Their impression will be deep, and their effect lasting. I therefore think that the motion ought to be postponed."

On the 21st of January, 1805, Mr. Francis moved for an enquiry into the origin of the war with Jesswunt Rao Holcar; and on Friday, April 5th, he wished to pledge the house once more to a declaration against wars in India for the sake of conquest.

In the course of his very able speech on this occasion, Mr. Francis gave the following historical detail relative to our Asiatic possessions,

"The origin of our connection with India, and the foundation of our establishment there, was commercial. Appearing in the character of merchants, and for many years assuming no other, we were received by the native princes, not only with hospitality and protection, but with extraordinary favour and encouragement; and certainly, as far as the commercial interests of their subjects or their own were concerned, they acted wisely.

"In the natural course of things, it is not possible to open a trade of any kind between India and Europe, without making it a channel of profit and an influx of wealth to India. Comparatively speaking, India, and especially Bengal, sells every thing to foreign nations, and buys very little. In this intercourse with Europe, the native princes saw and understood their immediate advantage. Their commercial eye was open; but their political eye was shut. They saw that the balance of foreign trade was immensely in their favour; but they did not foresee the fatal

consequence of granting to foreign merchants a stationary establishment in their country.

"The conduct of another Eastern nation, in similar circumstances, exhibits an example of sounder policy. The Chinese will never suffer us to have a footing in China. On this subject, their own institutions are wise, and they know how we have acted in India. From factories to fortifications, from fortifications to garrisons, from garrisons to armies, and from armies to conquest, the gradations were natural, and the result inevitable. For my present purpose, it is not material to look back to our transactions in India before the year 1765.

"Up to that period, our affairs were in a state of progression, without a solid security, and exposed to many hazards. The grant of the Dewanny of Bengal, Bahar, and Orixa, obtained by Lord Clive, gave us a powerful establishment, and in effect a sovereignty in India, under the name or shadow of a country government.

"From foreign merchants we suddenly became a great territorial and political power: from adventurers, who had every thing to win, we became possessors, who had every thing valuable to lose. No wise man continues the game, by which his fortune is once made. Accordingly we changed, or professed to change, our maxims with our situation. The fundamental principle immediately recommended by all the authorities abroad, and acknowledged and adopted by all the powers at home, was limitation of dominion. The same great man, to whom we owe the acquisition, and who laid the foundation of our dominion, bequeathed to us the wisest counsels for preserving it. His words are,* 'My resolution and my hopes will always be to confine our conquest and our possessions to Bengal, Bahar, and Orixa. To go further is, in my opinion, a scheme so extravagantly ambitious and absurd that no governor and council in their senses can ever adopt it, unless the whole system of the Company's interest be first entirely new-modelled.' On this principle, when the dominions of Suja ul Dowla, when the whole country of Oude was at his dis-

* Sept. 30, 1765.

posal, he restored it to that prince. To the same effect, there is another authority, particularly weighty in the scale with any argument of mine, I mean that of Mr. Hastings, whose name assuredly I should never have mentioned, if I had not an opportunity of doing it with approbation, as well as with advantage to my opinion. No words can be stronger than those in which he gives his own. In a letter addressed to the Court of Directors, the President and Council of Fort William say, 'The security and tranquillity of these provinces shall be the ultimate end of all our negotiations; and you may trust, that we are too well aware of the ruinous tendency of all schemes of conquest, ever to adopt them, or ever to depart from the absolute line of self-defence, unless impelled to it by the most obvious necessity, and immediate exigency of the circumstances.'

Signed,

'WARREN HASTINGS AND COUNCIL.'

"These were the principles most solemnly declared and established by the court of directors, in concert with his Majesty's ministers, at that time, for the future government of India. In their instructions to the governor-general and council appointed by parliament, their first injunction is *to fix our attention to the preservation of peace throughout India, and to the security of the Company's possessions*. Their letters are filled with maxims and orders to the same effect."

On the 10th of March, 1806, when the house was engaged in a discussion relative to the conduct of the Marquis Wellesley, Mr. Francis, after a few words on that subject, in reply to some marked compliments from one of the directors,* solicited the attention of the house for a few words, in respect to himself, and the rather, as they would probably

* Mr. Huddleston.

be the last he should ever address them on that subject.

"He had passed six years," he said, "in perpetual misery and contest, in Bengal, at the hazard of his life, for which he appealed to the chairman of the court of directors; then a wretched voyage of ten months, and two and twenty years of labour in the same course, unsupported, and alone.

"By endeavouring through all that portion of his life to maintain right against wrong, he had sacrificed his repose, and forfeited all hopes of reward or personal advantage; but now he had taken his resolutions, and would do so no more. He would never more take an active part, much less a lead, in any discussion of Indian questions.

"When he made a motion, which had been alluded to, last year, it was not to impeach Lord Wellesley, but to arm Lord Cornwallis with the authority of parliament, and to satisfy the princes of India, that this nobleman acted not merely on his own sentiments, but on the permanent principles of the British legislature. That motion was set aside, and he would never renew it.

"With regard to personal proceedings against any man, he was resolved to take no part in them. The impeachment of Mr. Hastings had cured him of that folly. It was he, in fact, who had been tried, and Mr. Hastings acquitted.

"He had reason enough to feel a spirit of prejudice, if not of animosity, against Lord Melville, from the perpetual contradiction he had maintained against him; yet in all the proceedings relative to that noble lord, he had never uttered one word; nor would he now concern himself in any prosecution against Lord Wellesley. His spirits were exhausted, and his mind was subdued by a long, unthankful, and most invidious application to one pursuit, in which he had never been able to do any good.

"He was not, nor would be, standing counsel for the nation, or for the company, on the subject of India. There was one view only in which he should attend to future proceedings in parliament on Indian questions, because he would not relinquish the duties of his station while he held a seat in parliament; he would

watch and take care, if he could, to protect the finances of Britain from being ruined by those of India.

“ I have passed,” added he, “ almost thirty years in endeavouring to defend the India Company’s property from ruin, and to support their lawful authority ; I have laboured to preserve the peace of Asia, and to protect the natives from oppression. The only duty now left me, is to defend England against India.”

We have hitherto considered the subject of this memoir as an advocate for a meliorated system in the East ; but we are now to view him in a new situation, and behold the same man who had combated tyranny in one hemisphere, endeavouring to moderate the horrors of slavery in another.

Mr. Wilberforce, in his character of a strenuous advocate for the abolition of the horrid commerce carried on by men calling themselves christians, for the purpose of seizing, imprisoning, conveying from home, and disposing by public auction, such inhabitants of Africa as may be a few shades darker than themselves, was at one period the idol of nearly the whole nation. But the member for Yorkshire, while he pleaded the cause of the unhappy Africans, only performed his duty and gratified the feelings of humanity. However laudable his zeal, he made no sacrifices ; he possessed no negroes whom he enfranchised from a cruel bondage ; he enjoyed the profits of no plantations, which became desolate in consequence of a strict adherence to principle ; he never hazarded the enmity of relations ; nor was he threatened with disinheritance, either on the part of himself or his family. Whatever his merits

may be, (and in this point of view they are far from being contemptible) it will be seen that there are others, who have pleaded the same cause, not only with motives to the full as disinterested, but with a certainty of experiencing a great loss.

When that gentleman, on Monday, April 18, 1791, moved, in a committee of the whole house, for leave to bring in "a bill to prevent the further importation of slaves into the British colonies in the West Indies," Mr. Francis rose in the course of the debate, and expressed his sentiments nearly as follows ;

"He should have contented himself with giving his vote for the motion, but for some considerations which were purely personal, and in consequence of which he thought himself particularly called upon to deliver his opinion on the present occasion, by an express declaration. He believed he was not very likely to be suspected of receiving with special favour and partiality, any measure introduced and recommended from the other side of the house ; while, in his own situation in private life, every motive, by which the conduct of men is usually determined, was united on one side, and powerfully pressed upon him, to engage him to take part this night against his opinion. Connections of every sort ; friends who were dear to him, and who thought their fortunes were at stake ; solicitations the most urgent, from persons to whom he was bound by many ties ; and possibly the prospect of advantage to himself or to his family, at a future day, to be forfeited or preserved. All these were in one scale, and nothing in the other, but the justice of the cause, and the protection of creatures, who would never know that he had endeavoured to serve them, or whose gratitude could never reach him. He, however, did not state these circumstances for ostentation, or as a claim to merit, but merely to fortify his cause, by shewing that his opinion was sincere.

"If the undisputed state of facts, if the clear and able argument delivered by the honourable gentleman,* who takes the lead in this business, has not carried conviction along with it, I must conclude," says he, "that truth and reason on this subject have no access to the human mind. Many gentlemen, indeed, have asserted what they have by no means established, and what, upon the whole, I utterly disbelieve, that this trade is *profitable*; but no man has yet had the courage to affirm, or even to insinuate, that it is not *criminal*. The question then is not, whether the trade be criminal, but in what degree? Is it a crime of the highest guilt in morals, or is it in practice capable of palliation? Will it admit of an excuse? No, Sir; I declare upon my honour and my conscience, none. I pass by the traffic as it is conducted on the coast of Africa, the temptation you give to one human creature to make a property of another, and to sell him to perpetual slavery. I take no notice of the miseries it produces in that country. Remember only that, whatever they are, you are answerable for them all. You create the market, and it is the market that constitutes the demand, and produces the supply."

"I shall not insist on the horrors of the Middle Passage. You do well to pass over them with disregard. The most determined mind, the most obdurate heart, if it be human, could not listen to the evidence on that subject without torture."

"I take these creatures in that which is stated to be their best situation; at their landing in the islands; at their arrival in the land of promise, where they are instantly to find relief from their sufferings; where, in return for a moderate degree of labour, a tolerable mode of existence is provided for them. You say you have paid for them; that they subsist at your expence, and that you have a right to their labour. Be it so. On that principle, let us see how they are treated."

"In considering the state of slavery in the West Indies, the object that instantly strikes my mind with a force and conviction, to which the evidence of special facts hardly makes an addition, is the power of corporal punishment, allotted as I find it. I do not ask you to

* Mr. Wilberforce.

enquire in what manner this power is exercised, but how it is disposed of, and to whom it is trusted, and then to determine what must be the effect of it. They know nothing of the human constitution, who have not observed, that power of every sort, of one man over another, has a natural tendency to deprave and corrupt the mind. The moment I hear of such a power, uncontrolled, in any hand, I conclude that the depravity is unlimited. The actual exercise of it, in the infliction of punishment, assuredly introduces that worst and most odious of all disorders in the moral system, personal cruelty.

“ The truth of these principles is acknowledged by the spirit and caution of our penal laws in every other instance, by the care they take, in all criminal proceedings, to separate the interest from the judgment, and the judgment from the execution. They will not suffer such characters and powers to be united in one person; nor are they united in any civilized society upon earth, except in our West India islands.

“ What are the usual offences imputed to negroes? In ninety-nine instances out of a hundred, they are either idleness or theft. They do not work hard enough to satisfy the task-master, (and why they should work at all, I know not) or they steal provisions. The thing they can eat is the only thing worth their stealing. Food is the only object of theft which it is in their power to conceal, or that could possibly do them any service. Consider the risk they run, the horrible punishments they suffer when detected, and then you may conceive in what manner they are fed. But, in the consideration of these offences, who is the offended party? The negro-driver.—Who is the judge of the fact? The driver.—Who awards the punishment? The driver.—Who inflicts it? The driver with his own hand.

“ But how? Captain Giles of the army says, that ‘ the punishment by whipping, though with fewer lashes given, is more severe and cruel than that of the army, because of the size of the whip.’ Captain Hall of the navy says, ‘ that in Barbadoes and the Leeward Islands, the treatment of the negroes on the plantations was inhuman; that the punishments inflicted were very shocking to persons not used to see them; much more so than

on board a man of war. The field slaves he has seen (a great many) are generally marked with the whip.'

"This is the *mode* of punishment. What is likely to be the degree of it? An angry man determines the penalty; an offended judge inflicts it; and he, perhaps, by office, by habit, and occupation, one of the lowest, if not worst of our species. If you cannot have an indifferent judge of the offences of these wretches, at least let there be a cold, indifferent executioner. It is a horrible truth that, when once the lash is lifted by an angry man, with despotic power over the object, his rage is inflamed by every stroke he gives. The cries and writhings of the creature are called resistance; even his patience is called sulkiness; his very sufferings are an offence. The decrees of passion are executed by passion.

"Admitting the power to be necessary, is there any protection against the abuse of it? Have the negroes any shelter? Have they any appeal? Is there a law to deter, is there a magistrate to resort to?—No, Sir; none at all. Mr. Terry, who was many years an overseer in Grenada, says, 'that he has known slaves punished by managers severely for trifling faults; that they durst not complain to the owner, for fear of worse treatment; that he has known them punished by the owner for so doing, and sent back, though their complaint was just; that field slaves usually bear the marks of the whip; and that he never heard that a slave complained to a magistrate of his owner, manager, overseer, or attorney; that he has known the *same* person attorney, manager, and doctor, on one estate; that he never knew a planter or manager interfere with another's treatment of his slaves; that food is the general object of theft among slaves, and at the hazard of their lives. That an overseer on the estate where he was, (Mr. Coghlan) threw a slave into the boiling cane juice, who died in four days; he was not punished otherwise than by replacing the slave, and being dismissed the service; was told of this by the owner's son, the carpenter, and many slaves on the estate; has heard it often.'

"Against all the allegations and all the arguments on this subject, one general answer is usually stated, and supposed to be

conclusive: *The negroes are our property; we have paid high prices for them; our profits depend upon the care we take of them. If we are bad men, at least we understand our interest too well, to destroy or disable the instruments, by which alone our estates are made of any value to us.*

“In the first place, Sir, the proprietor is not in general the person who exercises the power in question. If he were, it might be fair to presume, that the consideration of his true interest would be some restraint upon his passions. I fear, that, in general, it would not be effective. Many of the West India proprietors, I know, are men of as much honour and humanity as are to be found in any other rank of life; but they reside in England. Concerning the management of their estates, they have no other evidence but the information of their overseers; concerning the treatment of their slaves, they have nothing to judge by, but the amount produce of their labour. If the returns are abundant, it is not likely that the owners should be much disposed to enquire into abuses, by which their profits do not appear to be diminished. They hear no complaints; they live happily themselves, and conclude that all is well.*

“But I deny that the principle, so assumed and relied on, namely, that slaves will be well treated, because it is the interest of an owner to take care of his property, is conclusive in this case, as it would be in the case of inanimate property. All the protection which you can expect from the principle, and it goes no further, is, that corporal punishment shall not be inflicted to the hazard of life or limb; that the slave shall not be disabled from performing the task allotted to him. Within that limitation, the lash may be inflicted with the most shocking, capricious severity, provided it does not essentially injure the property of the owner. But to secure even that degree of protection, he ought

* Captain Hall says, ‘he believes the slaves suffered from the owner’s absence, because it was the business of the overseer, for his own credit, to make as much sugar as possible; to do this, he must work slaves to the utmost; it being no concern of his whether they died or not.’

never to trust the lash out of his own hand. He delegates his power to another; but not the interest, which, you say, is to govern the exercise of it.

“ Still the negroes are your property. So are your horses, and of more value too, if price and value are the same. See how these noble, useful animals are treated by coachmen and others, every day in the streets; every night at the doors of the crowded assemblies of this town, before the eyes of their masters and mistresses, and even at the hazard of their lives. I have often been witness to these abominable scenes of riotous or passionate cruelty. Did you ever hear of a coachman punished, or even dismissed, for cruel treatment of his horses ?

“ One would think, at the first view of the subject, that a plantation, once properly stocked with male and female negroes, would supply itself without further importation. I wish it were so; for then I should conclude that the condition of the negroes was tolerable at least. There is nothing in the climate or soil to counteract the propagation of negroes in the islands, any more than in Africa, where they multiply to excess. In all other countries, the labouring part of the people are in general the most prolific. Why not in the West Indies ? Excessive labour, and scanty unwholesome food, would be sufficient to check population any where. But the fact is, that the planters do not think it their interest to encourage it. Captain Hall tells you, that in the British islands breeding is not thought desirable; they rather deemed it a misfortune to have pregnant women, or even young slaves. They esteemed the charge of rearing a child to maturity, more troublesome and greater than buying a slave fit for work; and it was not uncommon for them to give away a child of two years old, as you would a puppy from a litter. Has heard an overseer of some consequence express this opinion. It was, in fact, his system to prevent population as far as in his power; and he understood this to be a general system. So little care was taken of infants, that mothers deemed it a misfortune to have children: after the month, they were sent to field labour, with their child upon their backs, and so little time afforded them to attend to its wants, that he has seen a woman, seated to give suck to her

child, roused from that situation by a severe blow from the cart whip.'

"Mr. Terry says that, 'while a manager, he never received any direction about attention to pregnant women, or children; has heard managers say, it was cheaper to buy African slaves than to breed; that they wished the children to die, for they lost much of the mother's work during infancy.'

"Captain Ross says, 'he has seen a negro woman flogged with ebony bushes, so that the skin of her back was taken off down to her heels; she was then turned round, and flogged from her breast down to her waist; and in consequence, he saw her afterwards walking upon all fours, and unable to get up.'

"Such is the treatment of women slaves, and in that state too, which of all others would excite pity in the most callous heart, that had still one human sensation left in it. But we are told that, although possibly facts of this atrocious nature may have happened in the early periods of the West India settlements, no such instances occur at present: that the government of the islands in this respect is greatly improved; that good laws have been made; that they are carefully executed; and that, upon the whole, the situation of the negroes is considerably mended, and grows every day more and more tolerable. Perhaps it may be so on some particular plantations; but, in general, I do not believe the assertion to be true. The operation of habits and principles is permanent and uniform; the check created by good laws can only be temporary and occasional, until they have acted long enough to effect a change in the manners of the people.

"It would have been natural to conclude that, while these enquiries were going on in England, and while the attention of the nation was so particularly directed to the subject as it has been lately, some restraint would have been laid on practices, which it was well known had excited universal indignation here. One fact, which I shall state, will be sufficient to shew you, what you have to expect from the probable effect of these pretended laws and regulations made in the islands for the protection of the slaves.

"It is not more than eighteen months ago that I read, in the 1808-1809.

Jamaica Gazette, an account of a female slave, of the age of fifteen, flogged by one of these drivers, till she fell senseless to the ground. In this state she was dragged by the legs to a place which they call an hospital, till her mangled flesh was torn completely from her bones. In the hospital she died. The villain was tried for his life, and honourably acquitted by twelve of his peers, every one of whom, I have a right to conclude, and, for my own part, have no sort of doubt, would have done exactly the same. On what pretence was he acquitted? Why, Sir, it was said, or pretended, that the girl was his property; that it could not be his intention, because it was not his interest, to take away her life."

But although the arguments adduced upon this occasion produced no immediate effect, yet in the course of the following year, Mr. Pitt, who was then minister, made a splendid speech on the unhappy state of the negroes in our colonies; and the House of Commons, on the 2d of May, 1792, passed that memorable vote, by which it was resolved: "That from and after the first day of January, 1796, it should not be lawful to import any African negroes into any British colonies or plantations."

The cause of humanity thus appeared at length to triumph. A hope was now entertained that so large a portion of the species would be exempt from the horrors of slavery, and a high opinion began to be conceived of the justice of this branch of the legislature, which had thus given a solemn pledge to the public. But alas! within the space of a few months, these magnificent promises were forgotten; the parliament during which they had been made, was dissolved, without effecting any

thing in favour of the oppressed negroes, and from that moment to the present, with the exception of a celebrated resolution on the part of both Houses, followed by a bill, every effort in their favour has been unavailing.

But notwithstanding the times had become unpropitious, by the real or supposed defection of an advocate, whose power was too great to be contended with, yet Mr. Francis determined that no part of his public duty should remain unfulfilled. He accordingly made a motion, April 11, 1796, for leave to bring in a new bill, to meliorate the situation of the slaves in the West Indies. After rejoicing at the full appearance of the House, and stating the reasons for again agitating the question, he desired the members to remember the pledge that had been given, the faith that had been violated, and to recollect, that to save them from everlasting dishonour, that leaf must be torn out from the records of history. By power and by force, he added, a partial triumph might be obtained from day to day; but the perpetual struggle between active wrong and persevering right must continue, until the moral sense of justice, charity, and shame, shall either finally prevail or be utterly extinguished in this land.

Conscious that the part taken by the Minister tended not a little to embarrass his proceedings, he observed :

" There is one person * left, Sir, whose support, if I really

* Mr. Pitt.

had it, would undoubtedly be of more use than all the rest ; but whose support I disdain to solicit.

“ I will not, for any purpose of this world, much less for any interest of my own, descend from the independence of my character, or from the station attached to the duty of this day, to submit myself to a capricious, mean, injurious enmity, not the less bitter because utterly groundless, not the less persevering because utterly unprovoked.

“ Neither is it necessary. I have a surer course to take with the right honourable person I allude to. If I am not grossly mistaken in my opinion of his character, I have a powerful resource in the judicial quality of his calculating mind. I am not alluding now to the general purity of his morals, or to his sincerity in particular. Without disputing his virtues, I hold it to be fortunate that I am not driven to rely on them. I depend upon his support, because I think I can put an honourable force upon his mind. I know the scruples and the prudence with which he weighs and balances the specific value of profit against praise. Whatever you may think of him, he is a man not to be driven, even by a favourite passion, to sacrifice a great portion of reputation for an inconsiderable advantage, and still less for a gratuitous indulgence of temper. I am safe, then, when I say, that my present intention is neither to solicit nor to offend, but to provoke him, (*Hear! hear!*)—yes, Sir, not to offend, but to provoke. Provocation is not of necessity offence. To inflame is not to irritate. They know nothing of the language who think that these words represent the same idea.

“ I tell him frankly that the last decision of the House has left a shade, I will not call it a stain, upon his reputation. Is he not yet satiated with the possession of power and emolument? Is he not weary of the drudgery of office, compared to which the mere labour of a negro is in my mind a service to be endured? And does he think it possible that the country, that any rational being should give credit to a proposition so extravagant and so monstrous, that the all-powerful Minister of the Crown, with all his eloquence, and with all his influence, and with the accession of thirty voices from this side of the house, should not have been

able to engage more than seventy votes on a favourite question of his own, if, in earnest and *bonâ fide*, he had desired to carry it? Is there nothing in his mind to elevate him for a moment above the level of his station? Does he never look forward to a time, when the merits of his character will be canvassed by posterity? And is it possible for him to endure the thought of passing for an * * * *

[Mr. Secretary Dundas here rose to call the honourable gentleman to order. He spoke of his right honourable friend as a member of parliament only; and it was the established rule of the House to presume that no member ever delivered opinions or expressed sentiments in which he was not in earnest. That to assert or insinuate the contrary was unparliamentary, and a high breach of order.]

Mr. Francis. "I submit to correction, though I really do not think that I said any thing to deserve it. Certainly what I meant was, not to express a suspicion of my own concerning the right honourable gentleman's sincerity, but to indicate to him the impression which the fact, as it stood, seemed likely to make on the general judgment of mankind at present and hereafter. I have no time now to debate a point of order; nor is it necessary. The full idea which I meant to give, may be conveyed in another form. Instead of a comment, allow me to tell you a short story, from good authority; but whether it be true or not is immaterial: it will serve to illustrate an obscure subject, without the risque of giving offence. A member of this honourable House was asked, how he voted on the last question of abolition? 'Sir, I voted with my friend the minister.'—'How so? I thought you had divided against the bill.'—'Very true; I certainly divided against the bill, but I voted with my friend the minister.'

"At the moment when the secretary of state called me to order, I was going to make an acknowledgment in favour of the right honourable gentleman, and to pay him, what I never refuse even to hostile merit, an honest tribute of applause.

"What judgment I possess is a good deal governed by impression. I cannot calculate the value, while I feel the effect. I have

not forgotten that illustrious night,* when all the powers of his eloquence were summoned to the service, and exerted in the defence of justice and humanity ;—when he took the House,—at a late hour, exhausted with watching and wearied with debate ;—when worn out attention revived at his voice ;—when he carried conviction to our hearts ;—when reason in his hand seemed to have no office but to excite the best of passions in our breasts ;—then, Sir, was the time, if he had nothing to consider but his own glory, then was the moment for him to have chosen to retire from parliament, perhaps from the world. He had arrived at the pinnacle of parliamentary honour, and at the summit of his fame ; and there he should have quitted the scene. From that moment and from that station, in *my* judgment, he has done nothing but descend."

Mr. Francis then proceeded to state, that the slaves in our colonies were under no law but that of arbitrary will ;—that they know of no government but that of the whip ; that they have no effective protection in laws or in magistrates against personal cruelty on the part of their owners and overseers ;—that there is no bond of marriage among them ;—and, finally, that in this state they neither have, nor can have, nor in fact is it intended that they should have, any idea of morals or religion.

He then opened his plan, which was intended to do away those grievances, and proposed :

1. That marriage should be encouraged ;
2. That the evidence of negroes in certain cases should be admitted ;
3. That the hours of labour should be limited with a reference to age and sex.

* Monday, 2d April, 1792.

4. That no negro should be removed from the spot to which he has been accustomed, without his consent; and no husband be separated from his wife, or children from their parents, on any pretence whatsoever.

5. That every negro should have the privilege of applying his *peculium*, or the petty profits arising from his own industry, to the recovery of his freedom.

6. That fathers and mothers, who have brought up a certain number of children, should be rewarded with premiums, and the mothers exempted from labour.

7. That there should be a *conservator* of the negroes in every island, with an advocate and attorney to act for them, appointed by the king, dependent solely on the crown, and no way interested in the property and produce of the plantations, for the purpose of receiving complaints, to prosecute, and to punish.

“As it is still permitted,” adds he, “to be the will of parliament, that this infernal trade should continue, let us endeavour to mitigate, if we can, the horrors that belong to it. There ought to be commissioners stationed at the principal places of traffic on the coast of Africa, with salaries sufficient to engage men of character to accept the office, and with legal powers to examine the accommodation in the ships, to superintend and regulate the purchase of negroes, to act as magistrates of the market, to prevent or put a stop to treacherous or fraudulent transactions, to see that iniquity and injustice are at least conducted fairly, on their own pretended principles, and without unnecessary aggravations. Surely the substance of this traffic is enough of itself to satisfy

the most savage or brutal mind. Above all things, it should be the care and duty of such commissioners to prevent the separation of families—not to suffer the wife to be divided from her husband, the sister from the brother, the infant from its mother. The sales in the islands should be governed by the same rules. A multitude of other duties and offices, with which the commissioners should be charged, will occur upon reflection.

“ That a case should exist, with the consent of an enlightened government, in which such an institution should be wanted, is shameful, is intolerable. I am sure it is an opprobrium to the name of England. In the treatment of the negroes in our islands, of all its evils the most grievous and afflicting remains to be considered. As long as it exists, I know that general institutions, laws, and magistrates will avail but little in their defence.

“ The arbitrary power of the whip, committed to men without feeling, to be exercised in anger, and unchecked even by the interest of an owner in the well-being of the object, is not in its nature capable of regulation, or subject to controul. To limit the number of stripes, to interpose between the naked helpless wretch,—a pregnant woman perhaps,—and the uplifted hand of the driver, would be an unjust invasion of necessary authority, and possibly in its consequences might hazard the crop. For a mischief of this kind there is no partial remedy.

“ In the place of a despotic power of punishment entrusted to a single person, I would substitute a form of trial, not less effectual to insure the reasonable demand on labour, and equally safe to the only interests which the planters seem to think of. I would give jurisdiction to the negroes in every plantation over one another. The whole gang of male adults should constitute the panel, out of which a kind of jury should be formed by lot or by selection, with a right of challenge, on one side to the offender, and on the other to the master, or to his representative, who should superintend and regulate the proceedings, and mitigate or remit the sentence, if he thought proper.

“ Gentlemen who are fond of justice may apprehend, perhaps, that a black tribunal would rarely if ever inflict sufficient punishment on a negro; I, for my part, am confident that, as soon as they

understood their office, and were sensible of the trust reposed in them, they would rather lean to severity, and that the overseer would often find himself obliged to restrain it. On this principle, the discipline of our armies in India is effectually maintained. An honourable gentleman near me can give you better information on this subject. But I know enough of it to be able to assure you, that no sepoy can be punished but by the sentence of a court-martial composed of native officers, who have all been taken from the ranks, and with an European officer to act as judge-advocate ; and that I never heard the justice of their proceedings disputed. As long as they are tolerably well treated, they are attached to their officers, and will follow them as far as the best British troops."

We have now traced the political career of Mr. lately become Sir Philip Francis, for a series of years, both in and out of parliament.

During the long and hopeless contest with Mr. Pitt, he remained firm at his post, " faithful among the faithless." His vote was numbered, and his efforts were accustomed to be applauded, in the day of battle ; but when the foe had been discomfited, himself and his services appear to have been forgotten, for we cannot term the barren title with which he has been invested, and the blushing trifle with which he has been decorated, an adequate reward ! Were it permitted for the writer of this article to declare his private opinions relative to the affairs of India, he would maintain that no man in Britain understands them better, and that no man in existence is perhaps so capable to rescue the English name from dishonour in the East, to put an end to an interested system of unnecessary wars, to rescue the

natives from oppression, and render our possessions in Asia beneficial. This is a high eulogium on the merits, the virtues, and the talents of an individual, if not slighted, at least overlooked ; but it ought not to be forgotten, that it is extorted by the concurrence of human events, and bestowed alike unsought and unknown !

We cannot conclude this article, without expressing our public approbation of the conduct of a man, who has been uniform in his zeal in favour of the cause of liberty and humanity ; who, while in the East Indies, pleaded in behalf of the Zemindar and the Ryot, and did not in Europe forget that the slaves in the West stood in need of support and protection. Nor ought it to be forgotten that his fate has been singular in the extreme, having been persecuted while in Asia for his liberal opinions relative to the natives of that quarter of the globe, and after his return, cut off from an ample fortune in the sugar colonies, in consequence of his parliamentary intervention in behalf of the unhappy negroes.

Sir Philip, who had been married for several years, has lately lost his wife. He has an only son, bred to the bar, and several daughters.

THE PETTYS.

1. THE MARQUIS OF LANSDOWNE.

ENGLAND is indebted for all its vaunted prosperity to a middle class in society, unknown to any other country in Europe, and which even Scotland and Ireland, notwithstanding their intimate union with, and immediate proximity to us, cannot as yet boast of.

A celebrated historian,* while treating of the ancient nobility, observes that there was but one† of the immediate descendants of the Baron's, who accompanied William Duke of Normandy into England, in existence in his time; and it is not a little remarkable that the title has since become extinct.‡ The ranks of the peerage have been filled up by fresh accessions from the great land-owners, the men of the law, the men of the sword, and of late, from the most opulent of our merchants and bankers.

The noble family, the head of which constitutes the subject of the present memoir, is descended, by the male line, from the opulent and powerful family of the Fitzgeralds, Earls of Kerry, and by the female branch from a man of genius and ability, which latter circumstance possesses a far better claim to our

* Hume.

† The family of D'Arcy.

‡ The last of the male line, we believe, ended in the late Earl of Holderness, which title became extinct, upon his demise, in 1778.

respect. Sir William Petty,* whose name is become another term for science, was the architect of his

* Sir William Petty "was son of Anthony Petty, a clothier, at Rumsey, in Hampshire, and born May 26, 1623. He took great delight, while a boy, in spending his time among carpenters, smiths, and other artificers, whose trades (says one of his biographers) he so well understood, that at twelve years of age he could work at them. His education was at the grammar school there (Rumsey); but he made so great a progress in his learning, that when he was fifteen, he had made himself master of Latin, Greek, and French, understood dialling, and so much of geometry and astronomy as was useful to navigation."

After this he went to Caen in Normandy, according to our authority, "with a little stock of merchandize, which he there improved; from thence to Paris, where he studied anatomy, and came there acquainted with Mr. Hobbes, who had a great affection for him, and assisted him in his studies. Upon his return to England, he had a place given him in the royal navy."

In 1643 he again visited France and the Netherlands, and returned to Rumsey at the expiration of three years, with "so small a stock as only about seventy pounds in cash, but with an inexhaustible treasure of useful learning."

In 1647 he obtained a patent from the parliament for seventeen years, "to teach the art of double writing." Having sided with this body against the cause of royalty, he repaired to Oxford, and in March 1649, was created a doctor in physic, and was soon after made fellow of Brazen Nose.

"Being now master of 500*l.* he went to Ireland, where he was made physician to the army by the parliament, with an allowance of twenty shillings per day, in which post he continued till June, 1659, gaining by his practice 4000*l.* per annum."

In December, 1654, he entered into a contract for remeasuring the grants to the soldiers in Ireland, in consequence of their suppressing the rebellion, "by which he gained 9000*l.* and improved his money greatly, by purchasing soldiers' debentures."

own fortune, and he left an ample succession to his descendants, some of whom have been ennobled, while others have illustrated themselves by their talents.

The late Marquis of Lansdowne, during the life of his father, the Earl of Shelburne, being then styled Viscount Fitzmaurice, obtained a commission in the guards, and made choice of the army for a profession. After serving as a volunteer, at the battle of Camperdown, under the Duke of Brunswick, he returned to England: and although he rose in due gradation to the rank of a Lieutenant-general, yet he afterwards directed his attention to a far different object. Having cultivated an acquaintance with William Pitt, afterwards Earl of

In January, 1658, he was elected member for West Looe, in Cornwall, in the parliament called by Richard Cromwell, and after the Restoration, he was introduced to, and knighted by Charles II.

In 1663, he invented "a double-bottomed ship," which sailed from Dublin in July, "and turned into the narrow harbour of Holyhead, among the rocks and ships, with such dexterity, that many experienced seamen did confess they had never seen the like."

He died at his house in Piccadilly, on the 16th of December, 1687, of a gangrene in his foot, occasioned by the gout, in his 63d year, and was buried at his native town of Rumsey.

It appears by his last will, that he estimated his real estate at 6,500*l.* per annum; his personal estate at about 45,000*l.* and the "demonstrable improvements of his Irish estates at 4000*l.* per annum." In all, he may be reckoned to have left behind him to the amount of 15,000*l.* per annum.

Chatham, he formed part of the same administration, and while the one retired on account of the inauspicious influence of the Earl of Bute, the other threw up his office of Secretary of State for the Foreign Department, when he found the British cabinet disposed to connive at the conquest of Corsica.*

From that period, the annals of his public life may be best learned from those of his country; and in this point of view, perhaps, no nobleman of the present age was so uniformly consistent. He reprobated the conduct of the House of Commons, in respect to Mr. Wilkes, the records of which, so far as regards that transaction, have been since expunged from their Journals; he opposed the power asserted by both Houses to punish the printers without a previous trial by their peers; he supported the bill for the repeal of the test and corporation acts; he objected to the folly as well as the injustice of the American war; he exclaimed against the increasing influence of the crown, which

* " See Corsic's hardy sons † betray'd,
 Whilst abject Britain shrinks, afraid,
 And drops her conquering lance;
 No more the suppliant states she saves,
 But yields each gen'rous people ‡ slaves
 To tyranny—and France."

*Lord Chatham's Prophecy, an Ode,
 written about 1776.*

† " Lord Shelburne's dignified and manly conduct, in the progress of that disgraceful negotiation, will always be remembered to his honour.

‡ Corsica, Poland, Dantzic.

was connected with the enormous additions to the public debt; and notwithstanding his own influence might have thereby been considerably lessened, he was uniformly an advocate for the reform of parliament.

It was the boast, the pride, and added not a little to the consequence of this nobleman, to be surrounded, and supported by persons celebrated for their talents. Accordingly, while men of letters had free admission to his house, he had an opportunity, by means of the boroughs of Wycombe and Calne, to return a Barré, a Dunning, a Townshend, a Jekyl, and a Baring, some of whom have distinguished themselves by their eloquence, others by their talents for business: all by their integrity.

Lord Shelburne (for so he became on the demise of his father in 1761), profuse in his private expences, was at the same time economical in those of the nation, for during an administration of only a few months continuance, he made an annual saving in the civil list to the amount of 116,000*l.* per annum. On the other hand, the sums distributed out of his own purse, for that foreign political intelligence, which is said to have rendered him the best informed man in Europe, are reported to have been immense. Bowood, like Versailles, was formed out of a bog; his town-house was too magnificent for the Earl of Bute, notwithstanding the lustre of royal patronage, while his library, *unique* in its kind, and original in respect to this country, con-

tained a series of rare productions, that would occupy half a century to reassemble, even under the most favourable circumstances.

It is greatly to be lamented either that his lordship's revenue was not more ample, or his expenditure less, for the fate of his books may be considered as a national calamity; whereas, had he been enabled to have left them as an *heirloom* to his family, this age might have realised those hopes which were blasted in the last, by the dispersion of the noble collection of the Earl of Orford.

John-Henry, the elder son of the first Marquis of Lansdowne, by his first wife, Sophia, daughter of John Earl Granville, was born December 6, 1765. His father, conscious, perhaps, of the early habits of dissipation too frequently incident to our modern public schools, was determined to give him a private education. He accordingly made choice of two eminent men for the purpose of superintending it; the one was Dr. Priestley, whose pneumatic discoveries ranked him high among the philosophers of his age and country; the other was Dr. Price, an eminent dissenter, steadily attached to those principles of whiggism which placed the present illustrious family of Brunswick on the throne, and whose morals and talents were alike unimpeachable. Under the inspection of these, Lord Wycombe completed his initiatory studies within the paternal mansion; after which he repaired to Christchurch, Oxford, on purpose to reside in that

celebrated ancient seat of learning where the founder of his family received a degree 136 years before.*

As it had been determined from the first, that Lord Wycombe was to be a man of business, it of course became necessary that he should see the world, and he was accordingly sent abroad, under the inspection of Mr. now Sir William Green.

Soon after he came of age, the subject of this memoir was returned to parliament for High Wycombe, whence his family derived its second title; and it will surprise no one to be told, that the generous feelings of a young nobleman, so educated, should be consentaneous to those of his own father, and a large portion of the most enlightened of his countrymen. With these, he discerned the folly and injustice of those measures, which have since led to debt and taxes on our part, and an infinite variety of misery on that of the rest of Europe.

The first time we find his lordship rising in the House, was to express his opinions relative to the possession of Oczakow. Mr. Baker, then knight of the shire for the county of Herts, having proposed an enquiry into the "state of the nation," in 1791, with a view to bring this subject before the House, a long debate ensued.

* Sir William Petty, a fellow of Brazen Nose College, was created M. D. in 1649. John Earl of Shelburne was created D. C. L. in 1755. The present (then John Henry Earl of Wycombe) was created M. A. July 12, 1785.

“ The Earl of Wycombe spoke for the original motion, and deprecated the war which was likely to take place against Russia, as well as the mysterious and contemptuous silence which the Minister screened himself under, and the unwarrantable evasion of every kind of explanation upon a subject of so great magnitude.

“ The opinion which he expressed was not merely his own; for he would assert and maintain, that the opinion of the minister’s conduct, and the unhappy state of the nation, without doors, was perfectly the same.

“ He earnestly entreated the right honourable gentleman to consider that the late revolution in France had expanded the minds of the people of this country to more general and more enlightened principles of freedom, and that it would not be safe, at this moment, to irritate the nation, by plunging it into a precarious and expensive war.

“ While we pretended to be so anxious about the balance of power, and were taking such extraordinary steps to preserve it, it would not be amiss were we to pay some attention to our commercial interests at home, lest, for one article, during our ill-conducted and madly extravagant armed negotiation, we should see the Russian trade carried on in American bottoms, and ships of other nations, while ours, that brought in a very large revenue to the country, and became a good nursery for seamen, were entirely unemployed.

“ His lordship entered into different arguments against the justice or expediency of the war, and expressed his disapprobation of the minister’s conduct, as denying all sort of satisfaction to the country, for the additional burthens he was about to lay upon them, and therefore no ways entitled to the confidence, far less the approbation, of the House.”

It is almost unnecessary to observe, that Mr. Pitt was completely foiled on the present occasion. Had the Opposition but remained firm and unbroken, unseduced by the love of power, and undazzled by

the hopes of employment, many other evils would have been either avoided or diminished.

A spirit of liberal enquiry, about this period, pervaded France, and as the government of that country was notoriously disfigured with abuses of every kind, it was hoped that many useful and salutary reforms would be produced. The love of liberty, so congenial to an English bosom, urged every candid and ingenuous mind to rejoice at a struggle, such as had been before witnessed in this country, and led to all the blessings which we have ever enjoyed. The excellence of the principles too *at that time* professed, have never since been controverted; and notwithstanding Pandora's box of evils was emptied during the revolution, it by no means follows that the original struggle was not commendable. But, if we are even to concede the point, it must be allowed, that we profited nothing by our ill-starred intervention, and that those who argued, first against our embarking, and then against our persevering in the contest, conceived the best notions of the true interests of their native country.

Lord Wycombe was one of the small, but respectable minority, who reasoned and acted thus, while he at the same time seemed peculiarly eager to prevent our own municipal liberties from perishing in the struggle against the new institutions of France. We accordingly find, in 1794, when the speech of the minister of that day teemed with conspiracies, and the table of the committee-room were encumbered with "sealed bags," that the

nobleman in question opposed the pretended necessity of the suspension of the Habeas Corpus act. On this occasion

“ He seriously lamented the precipitation with which the bill in question had been carried through that House: were the enemy at our gate, it could not be hurried with greater. He said he had listened with the utmost attention to all that had been urged in support of that precipitation, but had not heard one argument that was worthy of a moment's consideration.

“ It was stated that the danger was pressing. If he desired to know, what danger? he was referred to the report on the table. He was free to confess, that he could not discover in those papers any such danger; but he would readily acknowledge that the danger which he apprehended would arise from the passing of this bill. The excellence of the Habeas Corpus act was such, that if every fragment of the constitution was gone, Englishmen would find an asylum and a safeguard in it. Let them consider what they were about to do. When the Habeas Corpus act was suspended, where was the boasted liberty of the press? Where was the boasted liberty of speech? And when deprived of these two, he would ask, what would they, what could they have to boast of? He for his part could not discern any inconvenience from a short delay in this matter, as he was persuaded that, in the interval, gentlemen would recollect, and that every salutary benefit might be expected to result from reflection.”

When his Majesty, in February, 1797, sent down a message relative to the stoppage of money payments at the Bank, Lord Wycombe, after some prefatory observations, remarked :

“ That much as the crown had lost in contest with foreign enemies, it had gained and triumphed over the rights and liberties, and sacrificed the interests of its British subjects. The House had proceeded upon every thing just as the Minister had thought fit to propose for some time. In their proceedings for the last

four years, and more particularly of the last two, they had been quite unmindful of the public rights and privileges of the people.

“ They had availed themselves of the public torpor, and the public ignorance, to deprive them of their dearest rights. They had in their inquisitorial functions over the executive power been so indolent, and in their encroachment upon popular rights so active, that the poor were taxed and shackled in such a manner, as to have nothing left that was worth regarding.

“ Of the present parliament it became him to say nothing. He should not have troubled the House with one word on this occasion, if he were not convinced of the necessity of something being done, from a recent instance of what had happened. He was alarmed indeed at the consequence to which this measure was leading us. He had long thought very unfavourably of the affairs of this country; but he did not think that so very soon after the conclusion of a treaty of negotiation, which was not a trial for peace, but a trial of skill between the parties, where the only point in dispute was, which of them should furnish the best apology for the continuance of the war; he could not think, he said, that Ministers would so soon have brought on the ruin of this country.

“ He should hardly have thought that they would have insisted on Belgium, as the *sine qua non* of peace, and that the public credit of this country was to be the price of their obstinacy in this particular. The measure now before the House might be justifiable, because it might be indispensable on other grounds, but he could not help regretting the dark and sinister manner in which the Chancellor of the Exchequer had brought it forward. It was not fit that the public should be kept in suspense. It would ill become the House to take steps in the dark. If he had reason to believe that the suspension of payment enjoined by the Privy Council was necessary for public purposes, and he had reason to believe it was intended to pursue this step to remove a public pressure at home, he should have no objection to accede to it; but as he was inclined to fear, from various circumstances, among others the scandalous treaty with the Landgrave of Hesse Darmstadt, that all this was intended merely to cover a design of send-

ing money to the continent to carry on the war, he was bound in duty to give it his negative. If he thought that any thing, by way of relieving this country, was seriously intended by it, he should, to make it in his opinion effectual, move an amendment upon it; but as he thought it bad *ab initio*, he must oppose it. The House should reflect on the evils which such a measure as this would not fail to produce. It would, among other effects, lessen the value of paper currency in the kingdom.

“ He had, indeed, seen the misery which that had produced in other parts of the world, by raising most rapidly the price of all provisions, and bringing on a train of wretchedness, with which the House was utterly unacquainted.”

In the spring of 1799, when the state of Ireland had become critical, and the measures of military law and free quarters began to be practised, Mr. Fox moved for an enquiry respecting the situation of that country. He was on this, as on several other occasions, supported by the subject of this memoir, who in fact seconded the motion.

“ Lord Wycombe declared, that feeling how things were carried on, he never entered the House without a wish that he was relieved from the duty of attending it, and that wish was increased by a speech which he had heard to-night. He must declare also, that with regard to the present situation of Ireland, which was owing, he had no doubt, to the conduct of his Majesty's Ministers towards that country, he thought himself called upon to aid the proposition which was now submitted to the House by his right honourable friend.

“ The situation of Ireland at this moment was such as to merit the attention of the British legislature, because it was serious and alarming; that was the first reason he had for supporting the motion. The next was, that he did not suppose any remedy could be expected to be applied to the evil by the Irish legislature; and because it did not appear to him that the Irish craved any more

than was their due, and what was just and reasonable in itself. It was with some degree of shame, and no inconsiderable degree of regret, that he felt he could not say any thing of Ireland from personal observation ; but he thought it was impossible for any man, however ignorant of the country, to doubt of the disturbances that had taken place there, and which proved a manifest disaffection to the government.

“ This distracted state of things was evident in the abatement of the rents in some places, and the suppression of them in others. It was enough, however, to know what has been done in the great county of Down, which was declared by the proclamation of General Lake to be in a state of insurrection, and out of the King’s peace.* He thought, instead of rigour, conciliation ought to be

* The following is the proclamation alluded to by his lordship :

BY ORDER OF THE OFFICER COMMANDING THE NORTHERN
DISTRICT.

Belfast, March 13, 1797.

“ Whereas the daring and horrid outrages in many parts of this province, evidently perpetrated with a view to supersede the laws and the administration of justice by an organized system of murder and robbery, have increased to such an alarming degree, as from their atrocity and extent to bid defiance to the civil power, and to endanger the lives and properties of his Majesty’s faithful subjects. And whereas the better to effect their traitorous purposes, several persons who have been enrolled under the authority of his Majesty’s commissioners, and others, have been forcibly and traitorously deprived of their arms ; it is, therefore, become indispensably necessary, for the safety and protection of the well-disposed, to interpose the King’s troops under my command ; and I do hereby give notice, that I have received authority and directions to act in such a manner as the public safety may require. I do therefore hereby enjoin and require all persons in this district (peace officers and those serving in a military capacity excepted), forthwith to bring in and surrender up all arms and ammunition which

tried in Ireland; for it was time enough to employ force when mildness failed.

“ He should have wished that the Irish parliament had been left to themselves to settle this, but that he knew the Irish parliament had entirely lost the confidence of the people, and therefore the Minister's observations on the independence of the Irish parliament were thrown away. Indeed, he had omitted to prove, because he could not, that the Irish parliament was independent; the truth was well known to be, that a majority of that parliament

they may have in their possession, to the officer commanding the King's troops in their neighbourhood. I trust that an immediate compliance with this order may render any act of mine to enforce it unnecessary. Let the people seriously reflect, before it is too late, on the ruin into which they are rushing; let them reflect upon their present prosperity, and the miseries into which they will inevitably be involved by persisting in acts of positive rebellion; let them instantly, by restoring those traitorously taken from the king's forces, rescue themselves from the severity of military authority. Let all the loyal and well-intentioned act together with energy and spirit, in enforcing subordination to the laws, and restoring tranquillity in their respective neighbourhoods, and they may be assured of protection and support from me. And I do hereby invite all persons who are enabled to give information touching arms and ammunition which may be concealed, immediately to communicate the same to the several officers commanding his Majesty's forces in their respective districts; and for their encouragement and reward, I do hereby promise and engage that strict and inviolable secrecy shall be observed, with respect to all persons who shall make such communications; and that every person who shall make it, shall receive as a reward the full value of all such arms and ammunition as shall be seized in consequence thereof.

Signed by

“ G. LAKE, Lieutenant-General,
commanding the northern district.”

was at the will of the cabinet of England. With regard to the fear of the religious sentiments of the Irish catholics, he thought it singular that any should be entertained, while we knew that religion was so much on the decline all over Europe. He really dreaded, that if we did not soon interfere, we might lose Ireland altogether; a loss that would be more severe to us than the loss of America."

We have seen Lord Wycombe, in the preceding speech, expressing his "shame and regret," that he had not visited Ireland. He soon after, therefore, took an opportunity to inspect the state of a country with which he was so intimately connected by the claims of blood and fortune. Indeed, we understand that few persons in England are now better acquainted with that portion of the empire than himself.

But his lordship's excursions did not stop there. He had visited France during the memorable epoch of the revolution, and anterior to the war with this country; he now repaired to Switzerland, as if to witness the last rays of departing liberty, which still continued for a moment to enliven and illuminate the hearts and soil of those interesting mountaineers who resided there. After this he entered Italy, resided some time at Florence, and visited many of its most interesting cities, in company with his friend Lord Holland.

On the demise of his father, in 1805, a new scene opened before him, and his lordship (now Marquis of Lansdowne) found himself called upon to support a higher rank in society. Since this pe-

riod, and indeed for some time before, he has not addicted himself to politics. We are not at all astonished that this nobleman should keep aloof from the disputes and the struggles of contending parties; but as he displayed considerable talents for debate while a member of the other House, we are rather surprised that he has not opened his lips since he succeeded to the honours of the peerage.

Lord Lansdowne has been always greatly attached to water excursions, and may be fairly considered as one of the best and boldest mariners in England. In his yacht, called the "Frisk," of fifty-four tons, mounting twelve three-pounders, and carrying eight men and a master, he visited Ireland, as well as many parts of England and France. The favourable position of Southampton, *urbs speciosa situ, nitidis, pulcherima tectis, grata peregrinis*, induced him to settle there; and having no house nor establishment at that period, he generally lived in his vessel, and always slept on board.*

* In 1806 and 1807, several gentlemen of great nautical skill had sailing boats in Southampton water, as well as Lord Lansdowne, and were accustomed like him to navigate these themselves. Captain Pearson of the royal navy, son of Sir Richard Pearson, late lieutenant-governor of Greenwich Hospital, may be considered, on account of his professional talents, to take the lead. Lord Cavan too, who resides at Eaglehurst, is considered as one of the best sailors in the kingdom, although bred in the army, in which he is now a lieutenant-general.

The spread eagle of Anspach was at the same time displayed from the poop of the margravine's barge.

Being induced, from a variety of motives, to purchase the site of the ancient castle,* he has erected a modern one on its foundations, from the battlements of which the county of Hants, Southampton water, the Solent sea, with the Isle of Wight in the back ground, appear as in a *panorama*. The kitchen, which is completed in the purest style of Gothic architecture, at the same time contains all the conve-

* "There be in the fair and strong waulle of New Hampton, eight gates, &c." says Leland; "the glory of the castle is in the dungeon, that is both large, fair, and strong, both by work and the site of it." When the *modern* castle is completed, it will contribute not a little to adorn Southampton, and it already forms a fine object, whether viewed at a distance on the land side, or contemplated in a boat from any part of Southampton water to the westward of the town, particularly Dibdin bay. The Gothic windows, when their compartments are filled with stained glass,

"Shedding a dim religious light,"

will produce a fine effect, and the view from the top will be beautiful in the extreme.

The architectural critic will not, perhaps, be disposed to approve the manner in which the octagon tower is fitted up, as it appears to violate the general *costume*, by the introduction of a modern *boudoir*: but *de gustibus non est disputandum*; and in a matter of taste there will be doubtless many opinions.

The apartment in question, which in fact is in the style of a French *boudoir*, taken *per se*, is beautiful in the extreme. Among other ornaments, is a fine picture of a sybil, with the following motto, in raised gold letters on the chimney piece:

MAJORQUE VIDERI

NEC MORTALI SONANS.

We lament to find that the seat in Wiltshire is deserted, as the late Marquis displayed great taste in ornamenting it, and in fact

niencies introduced by modern improvements ; yet we could not but smile at the huge *snoaking chair*, as conveying a just allusion to the manners of a past age. The gardens, hot-houses, &c. are situate at Romsey ; they are excellent in their kind, and the wall is one of the finest in the kingdom. When it is recollected that this individual spot contains the original patrimony of the author of "Political Arithmetic," it cannot be viewed without an uncommon degree of interest.

The mention of this celebrated man naturally reminds us of a circumstance which reflects great honour on the public spirit of his representative. It is

reclaimed the site, as Louis XIV. did that of Versailles, so as to convert a bog into a paradise.

ON BOWOOD,

THE SEAT OF THE EARL OF SHELBURNE.

BY THE HON. CORBYN MORRIS.

" Mark the new scene, how wealth and art unite
 T' enrich the soil, and give the eye delight :
 Here shady walks and rushy bogs bore sway,
 Now fields of corn the ploughman's toil obey,
 And lowing pastures cheer the welcome day.

" See roads new trac'd for universal good,
 With stately bridges to surmount the flood.
 The goddess Culture gains a new domain,
 Enliv'ning all, and with her busy train
 Spreads a rich mantle over hill and plain :
 Whilst Nature views the happy changes made,
 With pleasing wonder, like a country maid,
 Who, drest in elegance, with rich array,
 Scarce knows herself, blushing to look so gay."

a well known fact, that in 1663, Sir William Petty constructed what was called a "double ship," or, more properly, a single ship with a double bottom, which was found to sail considerably faster than any vessel with which it ever had an opportunity to contend. "Her first voyage," we are told, "was from Dublin to Holyhead, and on her return she worked into that narrow and difficult harbour against both wind and tide, among rocks and ships, with such dexterity," to adopt the language of that day, "as many an ancient seaman confessed they had never seen the like."

This extraordinary bark, which was afterwards lost, with seventy more, during a dreadful tempest, appears to have resembled the double canoes of the Ladrone Islands, fastened together by means of an outrigger, of which we *believe* (for we now speak from memory) there is a plate in Hawkesworth's Voyages. Such was her celebrity, that a model still hangs, as we have been told by one of its members, in the council-room of the Royal Society, of which the ingenious projector was one of the founders.

The present Marquis of Lansdowne, actuated by a very commendable zeal, has made several attempts to obtain a vessel with similar qualities to those described above. His lordship began by a very small boat, and in 1806 had one of larger dimensions built, under his own inspection, by a ship-carpenter of the name of Dallas, in a shed immediately adjoining the castle at Southampton. Having been

dragged on a truck, by six horses, to Itchen ferry, she was launched there on Tuesday, the 8th of July, 1806.

Here follows a pretty accurate description of her. She is a single vessel with two bottoms, forming a curve or arch between them, through which the sea flows. The extreme length is thirty feet, the keel, or rather *keels*, are twenty feet, and the burden thirteen tons.

The stern is handsomely painted with a fine etruscan border, adorned with dolphins, while the beehive, the appropriate crest, we believe, of Sir William Petty (*ut apes geometriam*) surmounts the whole.

We lament to state that this vessel did not answer the expectations of the noble owner, and that after having been swamped, the Marquis was reluctantly obliged to abandon her. He afterwards purchased a schooner-rigged French prize, in which we have beheld him beating up with great skill between West Cowes and Southampton.

Lord Lansdowne is married to Lady Gifford, the widow of the late Sir Duke Gifford, Bart. of the kingdom of Ireland, and daughter of a respectable clergyman in the county of Chester. He is a tall personable man, rather regardless of his dress, and so inured to the rigours of the elements, that no one, we believe, ever saw him of late years with either a great coat or a pair of gloves during the severest days of winter.

On the demise of Mr. Fox, he paid the highest

compliment that a nautical man could do to his memory, by hoisting the colours of his yacht half way up the ensign staff!

2. LORD HENRY PETTY, M. A.

LATE CHANCELLOR OF THE EXCHEQUER, &c. &c.

MEN are not only best acquainted with the arts to which they are bred, but they attain equal skill and facility in practice, by a previous application to the theory. This is eminently conspicuous in the learned professions, for no one pretends to be a regular lawyer, physician, or divine, without initiation, due admission, and induction. It is not a little remarkable, however, that most persons consider themselves *ipso facto* statesmen, without either toil or study; and so *modest* is the bulk of mankind in this point of view, that scarcely any one who has figured away as a member of-parliament or a city orator, but thinks himself admirably calculated to direct the affairs of a nation.

Three men in our own age have been educated, however, in direct opposition to the general opinion to which we have just alluded, and it is not a little remarkable that they were all the younger sons of noblemen, and have all become ministers. It is a well known fact that Henry Fox, Lord Holland, actually brought up his favourite son Charles for the very situation which he afterwards attained, al-

though he would doubtless have wished him to have embraced a different party, as well as pursued different measures. The next instance is that of the late Mr. Pitt, whose opinions and practice, towards the middle and latter end of his career, were also in express opposition to the principles which had been instilled and acted upon by his illustrious father. The last is the subject of this memoir, who, like the other two, was regularly *bred* a statesman, and employed from his early youth to consider, converse, and debate on public affairs : in fine, he has been a man of business from his childhood.

Lord Henry Petty is the son of the late William Petty, Marquis of Lansdowne, by his second wife, Lady Louisa Fitzpatrick, sister to the Earl of Upper Ossory. He was born in July, 1780, and being a great favourite, as is often the case with a younger child, extraordinary pains were intended to be bestowed on the cultivation of his mind. His father was accustomed frequently to agitate the question which has been so often *mooted* relative to a public or private education ; and we have more than once heard it mentioned, to the credit of the discernment and candour of the present Marquis, that it was he who fixed the wavering resolves of paternal solicitude, by declaring openly in favour of the former.

Lord Henry was accordingly sent to Westminster school ; and as Berkley-square was at too great a distance to return every night, and repair every morning thither, he lodged and boarded in Dean's-

yard, and submitted in all things to the usual discipline of the institution. Mr. Debary, M. A. of Cambridge, a young divine, and son of a respectable clergyman, acted at that time, we believe, in the situation of an usher there, and to his particular care this pupil was committed. They afterwards repaired together to the university of Edinburgh, on which occasion they resided within, or at least frequently visited at, the mansion of the respectable Professor Dugald Stuart, and experienced all the kind attentions of Mrs. S. who is a woman of family, being nearly related to a noble house in North Britain, and has, if we are not mistaken, sacrificed at the altar of the Muses. Here they found a good table, and excellent company. Whether Lord Ashburton, Lord Fitzharris, and Lord Henry Petty, look back on their evening entertainments as the

“ NOCTES, CENÆQUE DEORUM,”

we cannot pretend to say, but certain it is that the Scotch marmalade and Scotch philosophy were neither of them at that moment despicable, while the Speculative Society, of which they were members, rejoiced at such an acquisition.*

On their way home, the tutor and the pupil vi-

* “ The Speculative Society was instituted for improvement in public speaking, and in science in general, without having peculiar reference to any of its branches. The members meet weekly during the sitting of the college, in a hall built by themselves, A. D. 1769, on a spot of ground, on the south side of the college area, granted them for the special purpose by the town-council of

sited Cambridge, and as the former was a member of Trinity College, it was natural for him to be partial to that society. This circumstance, we believe, trifling as it may appear, decided in some respects the future destiny of Lord Henry, for he was sent to this university instead of Oxford, to which he may be considered as possessing certain family claims.

How he conducted himself at Trinity,* where he received the degree of M. A., and how much

Edinburgh, at the recommendation of the principal of the university.

"The gentlemen discourse in rotation upon any literary subject they incline; and these performances undergo a very free criticism. The rest of the entertainment consists of a debate upon a subject previously appointed, which is opened by one of the members in rotation, and disoused by the society at large.

"Far from a promiscuous admission into this society, it is restricted to a very limited number; and such has been its reputation, that the number of candidates for supplying vacancies has afforded the society an opportunity to select those who are distinguished for capacity, industry, and decorum. It consists of gentlemen who follow respectively all the liberal professions, but the greatest number belongs to the law; and it has already furnished several professors to the universities of St Andrew's and Edinburgh."

Arnot's Hist. of Edinburgh, p. 430—431.

* As Henry VIII. possessed himself some talents for learning, he was an encourager of them in others. He founded Trinity College in Cambridge, and gave it ample endowments.

"The countenance given to letters by this king and his ministers," adds Hume, "contributed to render learning fashionable in England. Erasmus speaks with great satisfaction of the general regard paid by the nobility and gentry to men of knowledge."

he became endeared to his contemporaries, it is almost unnecessary to mention ; indeed, the manner in which he was elected to represent that great and learned body in parliament, will be the best answer to any question that may be urged on that subject.

After returning from college, Lord Henry was sent abroad by his father, and he was confided on this occasion to the care of Mr. Dumont, for whom the Marquis had obtained a place in a public office, during the period that his friend, the late Colonel de Barré, held the clerkship of the Pells. It was in company with this gentleman, who is said to be well acquainted with foreign languages and foreign affairs, that he visited France, which enjoyed a short interval of peace, after the struggles and the wars arising out of a tempestuous revolution ; and Switzerland then about to experience all the horrors of a foreign bondage.

On his revisiting England, and just at the period when he had attained the twenty-second year of his age, Lord Henry was returned a member of the new parliament convoked in 1806, being nominated rather than elected for the borough of Calne. During the first twelve months he was silent, but on the 13th of February, 1804, he made his *maiden* speech on the " Irish bank restriction bill," and he was much complimented on this occasion by Mr. Foster, formerly Speaker of the House of Commons of Ireland, and then Chancellor of the Exchequer of that country.

Soon after this the member for Calne supported the motion for an enquiry into the origin and prosecution of the paltry, but destructive war in Ceylon. He was "astonished," he said, "at the sort of argument set up by the ministers against the motion, as it would be strange for those entrusted with the management of a ship, when a proposition was made to examine her timbers or general state, to say that such an enquiry would come much better after the vessel had got into port."

On June 18, when the late Mr. Pitt brought forward his celebrated *additional force bill*, which incurred so much censure, Lord Henry followed Mr. Canning, and observed, that

"The right hon. gentleman (the Chancellor of the Exchequer) had begun by complaining that gentlemen had in general treated the bill with severity, in trying it by some imaginary standard of excellence, altogether unattainable in the present state of our affairs. There was, however, one standard by which every measure might be fairly tried, which was the specific end it proposed to attain, and the fitness or unfitness of the means employed to arrive at that end. The fundamental objection to the measure appeared to be, that it was of a mixed character, it was partly a tax and partly a requisition, and he was afraid, like all measures of the same cast, its operation in both cases would be defective; as a tax it would be oppressive and unequal, as a requisition it would be ineffectual. The right honourable gentleman said, that if any gentleman expected that he could put to himself the question of burden or no burden in the present state of our affairs, he was much mistaken, and he agreed with the right honourable gentleman in thinking so; but a question that might be put was, Equal burdens or unequal, partial and direct, or general and indirect taxation, and it would not be difficult to find an answer.

"The inequality in the present case was obvious; some parishes

where manufactures flourished, and wages were high, would find it impossible, whatever exertions might be used, to raise the men, whilst other parishes, differently circumstanced, might find them with facility. The complex machinery employed, and the multiplication of intermediate causes and effects, might prevent gentlemen from looking so seriously as they ought to do at the result ; but the result was, that one part of the community would be selected to defray what the public exigency required, whilst another would be entirely exempted ; although it was not a ballot for individuals, it would be in some sort a ballot for parishes and counties, since it subjected them to all the effects of chance.

“ Of all that had fallen from the right honourable gentleman,* nothing had surprised him more than the charge of inconsistency brought against gentlemen on the opposite side of the House, who had expressed their disapprobation of the ballot, because they opposed this measure now that the ballot was omitted : in any other case such an argument would be thought absurd. Did the removal of one objection diminish the force of others ? Would a poet by cancelling a few bad lines, or a painter by effacing any one monstrous feature, think himself entitled to admiration for the remainder of his composition, although, perhaps, equally exposed to criticism.

“ Indeed, from the manner gentlemen argued respecting the ballot, one would almost suppose that it had only been brought forward for the purpose of being afterwards withdrawn ; that, like those exhibitions, where, to prepare us for seeing objects by a false light, we are plunged for a few moments in utter darkness, the ballot was left for some time suspended before our eyes, to prevent us from discerning the real complexion of the other features of the plan proposed.

“ He now came to the employment of parish officers. It had been stated that this was no new practice, that they had been employed in the army of reserve and militia acts ; but there was this simple though material difference ; in former acts they had been employed ministerially, they were now employed actively ; before,

* Mr. Pitt.

the means as well as the duty were prescribed; now they were only directed to exert themselves.

“ Undefined exertion was dangerous when applied to persons in authority, since with them the most convenient exertion was the most arbitrary. But gentlemen should consider what change this was likely to effect in the persons chosen to fill the situation of parish officers. Hitherto they have been selected for their sobriety, benevolence, and good moral character. Now the only object would be to find those who could procure men, and save the parish from the threatened burden. A crimp or any other character equally infamous might benefit the parish more by his dexterity than the honest man. Thus the most important functions of their office would be either entirely neglected or grossly abused.

“ But would the men be obtained, and if they were, would they be such as it would be desirable to send into the regular army? The measure to which the present bore the strongest analogy, was confessedly the worst adopted during the late war; and no proof was offered to shew that the force raised under this act would be more respectable or more efficient than that raised under the quota act. He now came to the distribution of the men when raised into second battalions. Was it to be expected that a greater number would be induced to enter for general service when they were confined to one specific corps, than when the whole service was open to them? But it seemed the influence of local attachments was much relied on. In the first place, this could not exist in many instances, for where the parish could not find the men, the commanding officer was left at liberty to procure them, if he pleased, from the remotest part of the country.

“ No sooner had the Yorkshire manufacturer received the magical touch of the legislative wand, than he was to be transformed into a Kentish yeoman; and not only was he to become a Kentish man, but he was suddenly to imbibe so strong an affection for his Kentish brethren, as to incur new risks and dangers for their sake.

“ But supposing all the persons enlisted to come from the same place, would not the correspondence between those in the first and

second battalion lead to a comparison between their respective situations, and deter those who found themselves comfortably situated from encountering the dangers of foreign wars and climates ? This reminded him of an anecdote of the Archduke Leopold of Florence, who when he apprehended an emigration from thence to the Crimea, sent for the persons who were about to emigrate, and told them he would grant his permission, on condition they would write to their friends a faithful account of the difficulties they encountered ; they did so, and the consequence was that no further emigration took place.

“ Such probably would be the effect of the correspondence between the two battalions. On the whole, he thought the bill deserved to be rejected, because it went to establish a tax, unequal, unconstitutional, and every way injurious ; because the means by which it was to be carried into execution were imperfect and unfit for their end ; because it threatened to disturb and endanger the whole administration of parochial justice, by imposing functions upon parish officers, incompatible with those they at present exercised ; and above all, because it held out no reasonable prospect of effecting its object, that of raising an efficient and respectable force for regular service.”

After expressing himself freely relative to the conduct of government on the Irish Habeas Corpus bill, and declaring his indignation at the treatment experienced by Mr. Todd Jones, who was soon after released from a rigorous confinement, his Lordship, for the first time, realised those opinions which had been formed of his talents during the debates on Lord Melville's conduct as Paymaster of the Navy. On Monday, April 8, he spoke at some length on this subject, and in the course of his harangue, replied ably to some of the arguments adduced by the Minister

of that day, Mr. Pitt, who had proposed an *amendment*, and whom he succeeded in the debate.

“ Lord Henry Petty said he would have left it to others better acquainted with the secrets of office, to have followed the right honourable gentleman through the statement he had made, had he not felt that there could be no impropriety in his speaking thus early, conscious that the present was not altogether a question in which long practice was so much required, as a regard to that respect and dignity which every member of that House ought to be equally solicitous should characterise their proceedings. He confessed that he was never more surprised than at the manner in which the right honourable gentleman had begun charging the honourable mover* of the resolutions with want of moderation and temperance, although, so far as he was able to judge of the resolutions, they were resolutions founded on facts, and the whole of the honourable gentleman’s speech was composed of deductions from facts.

The right honourable gentleman said that the honourable mover had dealt in a complicated matter of figures. He begged it, however, to be recollected from what this had arisen.—From the obscurity in which matters had been involved by Lord Melville and his Paymaster, and that the complication was founded on the violation of an act of parliament. Had the right honourable gentleman wished to state the matter fairly, he might altogether have avoided any such complication. He omitted to notice what had not been disputed, first, that Lord Melville had violated an act of parliament, by allowing his paymaster to apply the public money to his own use; and secondly, that he had also violated the same act, in having himself applied the money entrusted to him for one branch of service, to another entirely unconnected with it. Did the right honourable gentleman pretend to call these a complication of figures? Or were they not rather facts standing admitted on the confession of the noble lord (Melville) himself? He

* Mr. Whitbread.

agreed it would be time to go into a select committee after the resolutions of the honourable gentleman had been assented to, that they may then enquire into the facts which were at present obscure ; but he denied that it was possible to go into such committee with any hope or expectation of receiving any additional light on the two points he had already stated ; it could not be, unless they were to indulge the supposition that Lord Melville might forswear himself, and deny in one place what he had admitted in another. The question neither required, nor could admit of delay. It concerned the breach of an act of parliament made by their own body, and which the person accused of breaking it, admitted he had broken.

“ The right honourable gentleman had endeavoured to palliate the guilt of the noble viscount, by stating that the public had sustained no injury. That was a defence, however, which he could not sustain. It was, in the first place, sufficient to say, that a great loss might have been incurred. But secondly, it was hardly possible that in transactions where so large sums were involved, a positive loss should not have been sustained. The noble lord declared that he felt himself, by possessing no official knowledge, unable to follow the right honourable gentleman into the statements which he had made, further than common sense enabled him to detect their fallacy.

The right honourable gentleman had said, that sums could not be drawn out for the naval service but as they were wanted ; and yet he had immediately afterwards confessed that great sums had been diverted from that to other services. Now he was at a loss to conceive, if the right honourable gentleman was correct in his first assertion, that no money could be drawn for the naval service till wanted, how this appropriation could have been made without leaving the navy without the necessary supplies. But, secondly, if money might at all be so diverted from its proper branch of service, it might with equal facility be misapplied to private advantage ; for if the door of abuse was once opened, there was no saying where the evil might stop. The right honourable gentleman's answer, however, again occurred. The speculations had

been successful—no loss had occurred, and so no harm had been done.

“The noble lord, however, was of a contrary opinion, and if the speculations of the noble lord, or his paymaster or broker, had been successful, it was not difficult to figure from whence their knowledge had been derived. Mr. Mark Sprott, the broker, was in the confidence of Mr. Trotter; Mr. Trotter was in the confidence of Lord Melville; and Lord Melville was in the public confidence; and so they had an opportunity among them of carrying on successful speculations in the public funds. He had heard of formidable conspiracies, but for his own part he declared he never heard of a conspiracy more formidable than that formed by those three persons. His Lordship here alluded to a systematic train of deception practised by Lord Melville, whenever any enquiry was put on foot relative to the nature of his office, and particularly mentioned his declarations before the committee of finance, which he must have known at the time not to be founded on fact.

“He knew that the principal purpose of the enactments of that committee and of parliament, from the year 1786, had been, that all monies should issue through the bank, and that his office should cease to be a treasury, yet he knew that those instructions had been regularly, systematically, and uniformly abandoned. And was the House now to be told that they must proceed further in their enquiry into the conduct of such a person before they determined on the propriety of dismissing him from his official situation? Suppose him to ask Mr. Sprott if he had been in the habit, instead of investing the money entrusted to his care in the names of Mr. Trotter or Lord Melville, he had occasionally applied 20 or 30,000*l.* to his own use? and were he to decline answering the question, he suspected he would soon cease to be broke either for Mr. Trotter or Lord Melville. Or, suppose him to plead as an excuse, that, from the mode of keeping his books, he could not say whether he might not have invested part of the money in his own name; would it not be answered that that was a mode of keeping accounts not to be tolerated by any broker on

the Exchange of London? If so, his Lordship would ask, was such conduct to be tolerated in the Treasurer of the British Navy?

“ The people of England paid their servants liberally, and in no department more so than in Somerset-house, and they had as good a right to see justice done them as any person on the Stock Exchange could pretend to have. His Lordship then alluded to Lord Melville's letter, and said, that if in that letter even the noble Viscount had asserted his innocence, however much he might have been convinced of the contrary, there would have been some ground for going into a committee. He would even like to see any of his friends bold enough to make such an assertion. Neither the noble Viscount himself, however, nor any gentleman for him, asserted any such thing. And what more remained for the noble lord, than to address him as Cicero did Piso, in his oration against him, when he breaks off, exclaiming, that no person can be more guilty than he who dares neither write nor speak his own innocence.

“ He would ask the noble Viscount himself, what he would have said, if at the time of proposing the act any person had thus addressed him: ‘ I approve of your act, but you labour in vain, for not twelve months will pass when it will be broken by a Treasurer of the Navy, and that Treasurer of the Navy is yourself!’ But still more must he or any man have been astonished had it been added, that, at the end of fourteen years, during the whole of which period the act had been violated, there could be found in the House of Commons a person to propose that further enquiry should take place before it was determined if the dignity and character of the House, and of their acts, were to be asserted, and the public purse vindicated against so gross a system of speculation. [*Loud and repeated applauses.*] His Lordship concluded an animated speech, which appeared to have made a deep impression on the House, by expressing a hope that the decision of that night would evince a determination in parliament to step forward with one voice in defence of the safety, honour, and existence of the country, which had been endangered by so flagrant a violation of their own acts, in the person of a nobleman to whom

they had confided an important trust, the due administration of that part of the revenue of the kingdom applicable to the naval service.

When Mr. Whitbread, in 1806, moved to impeach "Henry Lord Melville of high crimes and misdemeanours, in the name of the Commons of England," he was again ably supported by the subject of this memoir, who recapitulated the fresh subjects of accusation which had been produced, and in an animated tone pointed out the dangerous consequences likely to ensue, with respect to the interests of the public creditors, "from the combination of three persons, one of whom was a jobber in the funds, a second had an immense sum of public money at his disposal, while a third was acquainted with all the secrets of government." "This," he added, "was a combination from which more mischief was to be apprehended, than from those Jacobin committees which had been the theme of so much declamation." In the mean time, a great change took place in the political horizon of the country. While a vote of censure, followed by an impeachment, had been carried against one of his colleagues, and the situation of Europe began to wear a most perilous aspect, Mr. Pitt pined, sickened, and died. This event produced many important alterations; and in the formation of a new ministry, Lord Henry Petty, who had now attained the age of twenty-six, was nominated the new Chancellor of the Exchequer, and

at the same time became a member of the Privy Council. As he was a Master of Arts in Trinity, and had thus succeeded the late Premier in one of his offices, he determined, if possible, to be his successor in another also : that of one of the representatives of the university of Cambridge. His seat being accordingly vacated by the acceptance of a new employment, he repaired thither, and was hailed with joy by a multitude of the younger members, who, actuated by all the candour and ingenuousness of youth, immediately proffered their suffrages, while the more wary seniors hung aloof, until they should discover whether the *nimbus* of royal favour exhibited only a transitory splendour around, or was likely to irradiate for a series of years the devoted head of the young Chancellor.*

Nor were the other candidates destitute of pretensions. One of them† was the son of a nobleman who occupied the high office of Secretary of State for the Home Department, while another‡ was the descendant of Sir William Temple, a person still dear to England, and whose name and character are connected with all her learned institutions. The result, however, was auspicious to the subject of this memoir, for of 166 members of his own college who voted, he polled no less than 113, while out of 609, whose suffrages were in-

* Three hundred and thirty-nine members of the senate did not vote.

† Lord Althorpe.

‡ Viscount Palmerstone.

scribed on this occasion (Friday, February 7, 1805),
no less than 334 were in his favour.*

* The following is a general state of the poll :

No. that voted		P.	A.	P.
19	Peterhouse —	15	3	1
17	Clare Hall —	5	7	5
22	Pembroke Hall —	12	5	5
13	Bene't College —	5	4	4
11	Trinity Hall —	5	3	3
21	Caius College —	12	4	5
33	King's College —	19	10	4
18	Queen's College —	10	3	5
8	Catharine Hall —	5	1	2
27	Jesus College —	19	6	2
27	Christ's College —	19	8	
137	St. John's College —	48	17	72
17	Magdalen College —	8	5	4
166	Trinity College —	113	49	4
48	Emanuel College —	25	16	7
18	Sidney College —	10	4	4
7	Commorantes in Villa —	4	1	2
<hr/> Total voted 609		334	146	129
	Objected votes —	3	2	1
	Allowed votes —	331	144	128

MEMBERS OF THE SENATE WHO DID NOT VOTE.

Peterhouse	—	9
Clare Hall	—	10
Pembroke Hall	—	16
Bene't College	—	6
Caius College	—	9
King's College	—	23
Queen's College	—	21
Catharine Hall	—	5
Trinity Hall	—	6
Christ's College	—	12
St. John's College	—	111
Trinity College	—	109
Emanuel College	—	32
Sidney College	—	10

Did not vote 399
Voters 609

1008

Lord Henry had now to undertake the ungracious office of providing taxes, so as to answer the exigencies of the times, and make head against the increased and increasing expenditure during the war. On this occasion too he was to follow Mr. Pitt, who, whatever his errors or his faults may have been, has always been considered by all impartial persons as an able financier.

With every wish to think well of the new Chancellor of the Exchequer, we must candidly confess that he did not fully answer our expectations in this point of view, for the increase to the property tax was proposed with a certain degree of levity unbecoming fiscal regulations, so grinding in general, and in that particular instance so oppressive to the people, while the facility with which the youthful Minister prefaced an extension of our excise code (the most odious, because the most vexatious of all our laws) by laying open the private dwelling of every man in the kingdom who brewed his own small beer, appeared indecorous in the extreme. What his predecessor, after being *case-hardened* in the consuming fire of a twenty years administration, had not dared to propound, was introduced with the same degree of ease as if it had been a turnpike or a canal bill. The friends of the cabinet, on this occasion, were reduced to the most humiliating confusion in every part of the kingdom, and in the county of Kent in particular, where the independent freeholders had been so long

fighting the battles of the then ministry, the whole population was in a state of commotion.

But we most willingly avert our attention to another subject, which deserves to meet with commendation, and which might be made, perhaps, to constitute a productive sinking fund, in aid of some of that portion of the revenue laws which bears heavily on the people. What we allude to are the ideas thrown out in a speech delivered May 21, 1806, on a motion "for leave to bring in a bill to provide for the more effectual examination of the public accounts, and for the better discovery of frauds."

Lord Henry began by stating the manner formerly adopted of passing the various *items* by means of two auditors, both noblemen, who left it to their deputies, and they, like the principals, of course neglected it! To remedy this, Mr. Pitt, in 1785, nominated five commissioners, two of whom were to act as comptrollers of their accounts, but these also "had ceased to perform any of the duties required of them."

"A great deal of neglect is to be attributed," said he, "to the disinclination of the commissioners to act, and this has arisen from their authority not having been treated with the respect to which it was entitled."

"It appears," continues he, "that very large issues of the public money have been made for various purposes, connected with the military service of the country, which ought to have been sub-

mitted to them—I mean particularly with regard to hospital stores and field works—a most expensive description of services, which has not only not been submitted, in any instance, to the comptrollers of army accounts, but has been subtracted from the examination of the auditors; so that the whole has been issued without any check.

“I am sure the House will feel the importance of this part of the subject, when I state, that no less a sum than 700,000*l.* has been issued in the course of six or seven years to one individual, I mean Mr. Trotter.

“This gentleman has stood forth to the public in these different relations; of manufacturer of articles of stores—of purveyor of those articles which he manufactured—of storekeeper of the same stores—of comptroller over the thing so provided—and, lastly, of auditor of his own accounts!—Standing in all these relations and capacities, and himself stating the care, anxiety, and responsibility, attached to them, Mr. Trotter has made a charge on the public of ten per cent. beyond what was stated to be tradesman's charges.* These are accounts which have never been submitted to the inspection of the comptrollers.

“The barrack accounts, a most immense article, is one which it is essential the attention of the House should be directed to; but as it falls under the view of a parliamentary commission of last year, I shall make no other observation respecting it, than that the accounts in this department, for which nine millions were issued last war, have not been submitted to examination at all. The commissioners have not yet been able to inspect one of the barrack accounts. All these monies have been issued in a manner most objectionable, without any means of preventing an evil of a nature so alarming, in all its consequences, to the public.

“In the course of last year an attempt was made to correct some of the evils complained of, by a new commission: certainly this was a considerable improvement of the old one; at the same time it is not so complete a remedy as I conceive it might

* It is but candid here to state, that Lord Henry a few days after revised some part of this Phillipic against Mr. Trotter.

have been. I think it must have escaped the observation of those who appointed it, that the whole of the accounts of the old commission considerably exceeds the accounts transferred to the new commission. They came to three times the amount of what were transferred to the new Board. The consequence is, that the old Board are as deeply as ever engaged.

“ To the result of all that has been done, from the first commission of audit, I have felt it my duty to call the attention of the House. It appears that the last pay-office audit was for the year 1782; that the navy is greatly in arrear; that the *insuper* accounts have never been taken up at all, and those of the sub-accountants but partially; that the store accounts, from the beginning of the American war to the present time, have never been examined; that the barrack accounts, and those connected with the payment of foreign and subsidiary corps to which the late war gave rise, are in the same situation; as well as the accounts of the expeditions to Holland and to Egypt, and all those arising out of the present war.

“ Such is the situation of the public accounts at this moment. There are other arrears in other offices. It will surprise the House and the public to hear, that there are accounts not passed to the amount of 167,000,000*l.*; that there are accounts not proceeded in to the amount of 58,000,000*l.*; that there are twenty-one years pay-office accounts to the amount of 150,000,000*l.* not delivered in; that there are naval accounts in the same situation to the amount of 80,000,000*l.*; and, to sum up the whole, that all these arrears make up the enormous sum of 455,000,000*l.* of public money unaccounted for! [*a general burst of astonishment*]; that is to say, a larger sum unaccounted for than composes the whole of the national debt. It is proper I should acquaint the House, that the 167,000,000*l.* and 58,000,000*l.* are taken from accounts from the first of January 1805.

“ Now, after having stated this, I should flatter myself I have convinced the House of the important duty imposed on them, and on his Majesty's government, to take the subject into serious consideration. It is unnecessary for me to urge how much the public necessities call for the most serious attention and investigation.

I need not state what were the evils which led to these enquiries, or what are the dangers of leaving accounts open for twenty years, when the death of the parties may prevent the recovery of the public money, or grossest frauds destroy the revenue of the country, great as it is, and divert it to purposes of individual profit.

“ It is our duty to attend to the situation of the honest accountant, as well as to the frauds of the dishonest one; and the House should never forget, that while such a system affords a veil and a shroud behind which fraud and malversation lie concealed with impunity, it is also a cloud over the head of the faithful public servant, which hangs over his latter years and his dying day, and reaches his family, his children, and his posterity. The many instances that occur of this truth I need not enumerate, because there is one so remarkably striking. I mean that which regards a man, than whom no one ever lived and died more respected, the late Lord Macartney. It is well known, that in the year 1774, or 1775, he was Governor of Grenada. He stands charged in that capacity with 70,000*l.* sterling. His accounts as Governor of Grenada had never been passed, and he died this year without the satisfaction of knowing that he stood clear with regard to the public. I ask, whether this is a state in which the public would wish one of its most meritorious servants to be placed?

“ There have been innumerable instances of persons being prevented from making out titles to estates, of which they were desirous to dispose, from the uncertainty attending delay, for which they were not answerable. I have now to state the means by which his Majesty's Government propose to apply an effectual remedy.

“ It is proposed to repeal both the acts for appointing commissioners, and then that an act should pass appointing ten commissioners of audit. The first part of the plan will be to separate completely and finally the commissioners of audit from the comptrollers of the army accounts, with a view of restoring them to those functions which were so wisely recommended by Lord Godolphin. It is proposed, that not only those departments which are already subject to them should remain so, but that the barracks, army, and regimental stores, should in all

instances be submitted to their previous examination. It is also proposed, that these comptrollers shall be considered as the confidential advisers of the country in all military affairs, in order that the treasurer may never be at a loss with whom to consult. It is proposed, that they should become a sort of military record of whatever relates to the army; above all, it is proposed, that this commission should resume the important duty of reporting to the Treasury all cases of neglect or fraud; and to enable them more effectually to do so, that they should have the power to call persons before them, and to examine them upon oath. It is intended that the commission of audit should consist of ten persons, and that such persons should *not* be members of parliament. It is further proposed that they should be divided at the pleasure of the Treasury, according to exigencies, into three distinct boards. The distribution and arrangement recommended now will be this, and it arises out of this great principle, to which I am convinced the House must look; I mean that of relieving the commissioners who are to be entrusted with the future care of the public accounts from all embarrassing subjects of a varied nature.

It is meant to entrust to four commissioners, assisted by eight inspectors, all public accounts to December last. The second board is to be entrusted with the care of bringing up the accounts which are now under examination. The third board is to bring up those arrears which are to be considered as arrears never having been called for. By enabling these boards to communicate with each other, this immense mass of arrears may be ultimately adjusted. It is proposed to make a difference in the constitutional formation of the boards. The accounts are to be first submitted to one commissioner, who is to be responsible for their investigation. The advantage of having one individual responsible for the different accounts being attended to by the board must be obvious. I flatter myself, that by this arrangement the object in view will be accomplished. In addition to this, there is one measure proposed which partly arises from the late report of the commission of military inquiry. It is intended that the barrack accounts shall be brought up by two persons. In proposing this general arrangement, his Majesty's Ministers have felt it their duty to keep in

view this object, that while we are compelled, by public necessity, to have recourse to the measure I have detailed, we have deemed it most material to provide that the increased charge should not be a permanent one, but that its continuance may be no longer than is absolutely required.

“ A provision will be inserted to reduce the commission of ten to six persons gradually, so that in proportion as the arrears shall be passed, the individuals composing the larger commission shall merge in the other. It is proposed, that in case of any of the commissioners dying, his Majesty shall not replace them without coming to Parliament, until the number be reduced to six.

“ I have now to state the whole of the measures which it will be necessary to propose for the better examination of public accounts. It is proposed, that, for more effectually following up this great object, and preventing those abuses which appear the more alarming the more they are enquired into, a new arrangement should be adopted with respect to the West Indies. The late commission was narrowed in its operation. It was not able to bring up accounts. It is proposed that the present commissioners shall have more extensive powers, but at the same time they are not to be entrusted with the final audit—allowing and disallowing accounts, and passing them, with a certificate to be transmitted to the lords of the treasury, before they are finally audited. It is proposed that the abuses discovered shall be followed up as strictly as possible; and that the commissioners should have the power of sending two of their body to the West Indies, who may there enquire into local abuses in concert with the commander in chief and the governor of the island where they may happen to exist, who are to be *ex officio* members of the commission.

“ No measure can be thought too decisive, when I state that there is no species of fraud and forgery that has not been committed. The matter is of public notoriety. Public officers of important trust have received immense sums to violate their duty, and betray the public. There are instances of one contractor paying 80,000*l.* and another paying 30,000*l.* to officers of public trust and confidence for the suppression of frauds and peculations. All

these matters could never be properly enquired into, owing to the inefficiency of the former commissioners.

"It is my intention to move, in the first instance, to repeal the bill of last year, and to substitute a new one for it; having done that, I have performed all my duty. I am sure that we can conscientiously say we act rightly in bringing this measure forward. Whether it will prove effective is a responsibility I will not take on me to say; but I will say, that by means so devised the Treasury will be able to judge, from year to year, what is the state of public accounts. If this remedy is found weak and ineffectual, it will be the duty of the Treasury to come again to parliament, and to persevere till that system of audit, which is the great instrument of correction, and therefore one of the vital principles of the country, is made fully adequate to the discharge of all its important functions.

"I am not aware that I have omitted any point I wished to state. I shall propose that a provision be introduced, compelling every public accountant, every year, to bring in his account, whether he is able to make it up or not, in order that the commissioners may know what money has been issued by him, and may be able to strike a balance; and it is proposed to compel the accountants to come to a final audit within eighteen months afterwards, thus securing to the public and the individual that relief both must be anxious to obtain."

But amidst these projects of reform, an event occurred that threw the whole nation into mourning, and became the precursor of the fate of the new ministry, which had been already anticipated by the *political rats*, who leave, as it were by instinct, a ruinous building some time antecedent to its destruction. Mr. Fox, whose name and talents were at once the sword and buckler of the new administration, began like his rival to droop, and like him also was cut off from the number of the living;

but he happily fell in the plenitude of power, in the meridian of hope, and the zenith of reputation! before the public expectations were baffled, and that character, which was rather tarnished by a new coalition, had suffered any sensible diminution on the score of popularity. The political power of his colleagues did not long survive the existence of their chief, and an occasion soon offered to displace them; but this only precipitated their fate; for, in the language of Lord Chatham, "they had long felt the ground rotten under their feet."

The rock on which they shipwrecked all their hopes was the Catholic Question, a subject intimately connected with the strength, and consequently, at this period, with the happiness and security of the empire. On that occasion, in a moment of irresolution, they offered to withdraw the odious bill, but a pledge having been asked, as a proof of the sincerity of their repentance, for having agitated so critical a subject, they beheld that the measure of their power was complete, and withdrew under the frowns of exasperated majesty. On this the King was pleased to call in new advisers, to adopt new measures, and to dissolve the Parliament, which had been convoked but a few months before, under their immediate auspices.

Lord Henry Petty endeavoured to take refuge in the bosom of the university that had educated him; but he was no longer clothed in the Chancellor of the Exchequer's robe, so that he

who, while but the minister of a day, had polled 831 votes, was able, with some difficulty, to reckon 265 suffrages.* If it be asked what could create so sudden a change in respect to the opinions of the graduates of the university of Cambridge, we can safely assert—it was not the increased property tax, or the attempt to engraft the excise laws on the comforts of domestic life—or the admission of a Chief Justice to a seat in the Cabinet—but because the church was in danger!—because the long-forgotten exclamation of “No popery!” rung through the halls and colleges, and was re-echoed from every corner of the senate-house, where, as of old, it is usually the fashion to prefer the present to the future, and to repeat most cordially the interested response, in the clerico-political liturgy, of “Great is Diana of Ephesus!”

* There were four candidates on this occasion, and the election commenced on Friday, May 8; 1807. At half past two o'clock the numbers were as follow :

For Lord Palmerston	-	-	-	252
Sir Vicary Gibbs (the new Attor.-gen.)				250
Lord Easton	-	-	-	209
And Lord Henry Petty	-	-	-	153

The poll recommenced at four o'clock, in consequence of the Vice Chancellor having refused to accede to the wish of Lord Henry to adjourn until Saturday, in order to afford him time to bring up his distant voters, and the numbers were finally declared at midnight to be as follows :

For Earl Easton	-	-	-	324
Sir Vicary Gibbs	-	-	-	313
Lord Palmerston	-	-	-	310
And Lord Henry Petty	-	-	-	265

Lord Henry, being thus excluded from representing one of the seats of learning, was obliged to retire from the classic banks of the Cam to the sons of tin, lead, and copper, to solicit the suffrages of the *freemen* of the snug little borough of Camelford, which were obtained *more majorum*, without much difficulty, and, we believe also, without any expence; for if we are not greatly misinformed, the good genius of the House of Bedford hovered over the resident pot-walloppers, and acted with such magic power, that while their mouths were opened, their hands were miraculously closed, so that the Ex-minister to the Court of Vienna, and the Ex-chancellor of the Exchequer, were enabled to pass, like Shadrach, Mechach, and Abednego of old, through the fiery furnace of a Cornish election, unscorched, and even untouched!

The subject of this memoir, on the meeting of the new Parliament, accordingly once more occupied his old station on the Opposition side of the House, at the left hand of the Speaker, not as heretofore in the character of the defendant, but again as the plaintiff, or, in other words, instead of maintaining the green-sodded entrenchments of the Treasury-bench, he now took post on the opposite heights, whence the Ministry have been cannonaded in their trenches, during a whole campaign, by their opponents, who have hitherto been worsted, in consequence of the numbers rather than the valour of their foes, for the former more than once advanced sword in hand to the covered way, and were so in-

ured to attack in the course of last winter, that, in the language of Serjeant Kite, "they eat ravelines for breakfast, and picked their teeth with pallisadoes."

But his lordship was suddenly summoned from crowded Houses, and noisy debates, and unproductive altercations, to happier scenes, and more engaging prospects, and more seductive amusements:

" — tibi ducitur uxor ;

Sparge marite nuces ; tibi deserit Hesperus Oetam."

In short, the fire-darting eyes of his lovely cousin, Lady Louisa Strangeways, like the interposition of the gods in ancient times, had lighted up a whole fascies of nuptial torches, at the altar of Hymen, in consequence of which the families of Lansdowne and Ilchester were once more reunited by a new alliance, commenced, and consummated, under the most auspicious circumstances.

In point of fortune, Lord Henry, as a younger brother, has nothing to complain of, as his father, the late Marquis, left him the Kerry estate in Ireland, which is in a course of rapid improvement. In point of talents, he deservedly ranks high, and it is our wish, as it indeed is our hope, that he will not hold out any pledges to the public while out of place, that he is not prepared honestly to realise on his return to office. Let him be reminded that that parent, of whom he was the darling son, gave a salutary peace to the empire, that he wished to make a free, also an armed people ; that he endea-

voured, by giving the names of the counties to the various regiments, to inspire the standing army with a devotion to the common interests and common liberties of the nation ; that he was the only proprietor of boroughs in the kingdom who struggled for a more equal representation of the commons, and the sole minister since the Revolution who had ever virtue, spirit, or independence sufficient, to correspond openly and manfully with those who agitated the great question of a reform in Parliament !

In the following poem, in imitation of Calisthenes, written by Sir William Jones in 1782, a high compliment was paid to his virtues, while Lord Fitzmaurice :

ODE.

“ Verdant myrtle’s branchy pride
 Shall my biting falchion wreath :
 Soon shall grace each manly side,
 Tubes that speak, and points that breathe.

“ Thus, Harmodius, shone thy blade !
 Thus, Aristogiton, thine !
 Whose, when Britain sighs for aid,
 Whose shall now delay to shine ?

“ Dearest youths in islands blest,
 Not, like recreant idlers, dead ;
 You with fleet Pelides rest,
 And with godlike Diomed.

“ Verdant myrtle’s branchy pride, &c.

" They the base Hipparchus slew,
At the feast for Pallas crown'd ;
Gods ! how swift their poniards flew !
How the monster ting'd the ground !

" Then, in Athens, all was peace,
Equal laws and liberty ;
Nurse of arts, and eyes of Greece !
People valiant, firm, and free !

" Not less glorious was thy deed,
Wentworth, fix'd in Virtue's cause ;
Nor less brilliant be thy meed,
Lenox, friend to equal laws !

" High in Freedom's temple rais'd,
See Fitz-Maurice beaming stand,
For collected virtues prais'd,
Wisdom's voice, and Valour's hand !

" Ne'er shall Fate their eye-lids close ;
They, in blooming regions blest,
With Harmodius shall repose,
With Aristogiton rest."

LORD HOLLAND,

MR. ADDISON observes, with his usual good sense and precision, that nothing is more attractive of attention, " than anecdotes or memoirs of such as begin to be the subject of public observation." Actuated by these sentiments, we have always endeavoured to introduce the biography of those who have recently become illustrious either for their exploits or their mental talents ; and in short,

we have on no occasion omitted to notice senators celebrated for their eloquence, or warriors who may have rendered themselves memorable in consequence of their heroism.

The family of Fox, which of late years has acted so conspicuous a part in the annals of England, and added two members to its peerage, appears to have been originally seated in Wiltshire. William Fox of Farley, in that county, had a younger son, Stephen, who survived him. Having sided and withdrawn with the royalists, after the Restoration he was knighted, occupied several distinguished situations, and appears to have been a privy counsellor and a commissioner of the treasury. By means of his talents, good fortune, and discretion, he became the founder of two noble families, and by uniting munificence with economy, appeared in the character of a benefactor to several excellent institutions.* Not content with charitable

* Of Sir Stephen Fox, Collins, in his *Peerage*, makes the following honourable mention :

“ His hospitals at Farley in Wiltshire, at Brome in Norfolk, and Ashby in Northamptonshire, are lasting monuments of his piety and generosity ; and he was the first projector of Chelsea Hospital, having contributed to the expence of it above thirteen thousand pounds : his motive to it was known from his own words : he said ‘ he could not bear to see the common soldiers, who had spent their strength in our service, to beg at our doors : he therefore did what he could to remove such a scandal from the Kingdom.’

“ He first purchased some grounds near the Old College at

bequests in three different counties, his mind appears to have expanded with a project which reflects honour on his age and country; and even if it should be denied that he was the original projector, yet it is upon record that he was one of the most liberal contributors to an hospital, a suitable inscription on the south front of which conveys the best idea of its utility:

" IN SUBSIDIUM ET LEVAMEN,
 EMERITORUM SENIO,
 BELLOQUE FRACTORUM,
 CONDIDIT CAROLUS SECUNDUS,
 AUXIT JACOBVS SECUNDUS;
 PERFICERE
 GULIELMUS ET MARIA,
 REX ET REGINA.
 M.DC.XC.

All the sons of Sir Stephen Fox by his first marriage, although seven in number, died young, except Charles, who, after becoming paymaster of the forces, demised in 1703, without issue; and of his three daughters, Elizabeth, in 1673, married

Chelsea, which had been escheated to the crown in the reign of King James the First, and which that monarch designed for the residence and maintenance of protestant divines, to be employed in the defence of the Reformation against all opposers: and on these grounds the present college is erected.

" In memory of which benefaction, his name is transmitted to posterity in a fine prospect and description of Chelsea College by Mr. English, the comptroller of the works thereof, inscribed to the Right Honourable Sir Stephen Fox, the Earl of Ranelagh, and Sir Christopher Wren, with their several coats of arms."

Charles Lord Cornwallis; while Jane, in 1695, became united to George Earl of Northampton.

By his second marriage, which took place when he had attained a patriarchal age, he had two sons, both of whom were in the sequel ennobled, Stephen becoming the first Earl of Ilchester,* and Henry the first Lord Holland.†

* Temp. Georg. II. May 11, 1741, created Baron Ilchester and Strangeways, and on June 5, 1756, advanced to the dignity of Earl of Ilchester.

† He was created Baron Holland of Foxley, April 10, 1763. This nobleman was a most excellent scholar, and appears to have possessed a fine taste for poetry, as may be seen from the following

- VERSES,

BY HENRY FOX, AFTERWARDS LORD HOLLAND,

TO A LADY, WITH AN ARTIFICIAL ROSE.

“ Fair copy of the fairest flower,
Thy colours equal Nature's power ;
Thou hast the rose's blushing hue,
Art full as pleasing to the view :
Go, then, to Chloe's lovely breast,
Whose sweetness can give all the rest.

“ But if, at first, thy artful make
Her hasty judgment should mistake,
And she grow peevish at the cheat,
Urge 'twas an innocent deceit ;
And safely, too, thou may'st aver,
The first I ever us'd to her.

“ Then bid her mark, that, as to view,
The rose has nothing more than you ;
That so, if to the eye alone
Her wond'rous beauty she made known ;

The latter, a contemporary, while in the House of Commons, with William Pitt, afterwards Earl of Chatham, and William Murray, who became at length Chief Justice of the King's Bench, and Earl of Mansfield, participated in all the great events of his time. He held the lucrative situation of Paymaster to the Forces, during part of the reign of George II. and after his present Majesty came to the throne, was frequently consulted by him on trying and critical situations.

On the 2d of May, 1744, he married Georgina Caroline, eldest daughter of Charles Duke of Richmond, by which lady he had four sons, one of whom was the father of the subject of this memoir.

Henry Richard Fox, Baron of Holland in Lincolnshire, and of Foxley in Wilts, the only son of Stephen,* the second Lord Holland, by Lady Mary

That if she never will dispense
A trial to some sweeter sense,
Nature no longer we prefer ;
Her very picture equals her.

“ Then whisper gently in her ear ;
Say softly, if the blushing fair
Should to such good advice incline,
How much I wish that trial mine.”

* Lord Holland's father, Mr. Stephen Fox, died early in life. While on his travels, he was rescued from a gang of titled sharpers by Mr., afterward Lord Macartney, who fought a duel on his account. This made the fortune of that gentleman, who was ever after protected by the Holland family ; and indeed, sent in consequence of their recommendation to the Court of St. Petersburg, where his handsome person served as a recommendation to the Empress.

Fitzpatrick, daughter of John, Earl of Upper Ossory, was born Nov. 21, 1773.

As both his father and mother died when he was but little more than a year old, the care of his infancy, as well as of his education, devolved on his guardians.

After receiving the first rudiments of his education, under* George Heath, D.D. at Eton, his lordship was sent to Oxford, where he completed his studies at Christchurch, and on June 20, 1792, was created Master of Arts.

No sooner had the young peer bid adieu to his *alma mater* than he repaired to the continent, and after a short residence in France visited Italy. Tempted by the charms of a fine climate, and arrested also, perhaps, by another object, he passed a considerable portion of the year 1795 at Florence, with his friend Lord Wycombe, now Marquis of Lansdowne. In the beginning of 1796, he accompanied a fair lady to Rome, and afterwards returned with her to England. Meanwhile, her husband obtained a sentence of separation *a mensa & thoro*, in Doctors' Commons, February 9, 1797, and nearly at the same time commenced a suit in the court of King's Bench, on which occasion 6000*l.* damages were obtained.

The nobleman who is the subject of this memoir was not of age when the war with France com-

* If we mistake not greatly, this nobleman was also for a few months under Jonathan Davies, M.A. who was head master until December, 1791.

menced, in 1793. He was unable, therefore, to express his sentiments publicly on that subject, but soon after he became entitled to sit and vote in the House of Peers, he exhibited an animated and uniform opposition to that measure. It was on the second reading of the assessed tax bill, brought in for the express purpose of supporting the contest against France, that Lord Holland rose, January 5, 1798, and in a maiden speech replied to Lord Grenville, who at that period occupied a conspicuous situation in the cabinet.

“ I am ready,” said his lordship, “ to maintain, in opposition to the noble Secretary, that under the administration of which he formed a considerable part, for the last five years the condition of this country has grown worse and worse, for this is too plain a proposition to be debated, either here or any where else. If it were enough for a member of Parliament to see that the exigency of his country was great, that its distress was general, and that he was to be excused from examining the system that produced the calamity ; that it was no part of his duty to inquire how money had been already applied, or what probability there was of its being duly used in future ; then, perhaps, I might agree with the noble Secretary, in the truth of the preamble of the bill which is now before you ; but even then I should find it my duty to oppose the enactments, because I do not think that they agree with the preamble.

“ When you are called upon to vote for a measure that has for its object the raising so large a sum of money as is here proposed to be raised, and must necessarily lay upon the people a much heavier burden than any they have ever yet felt, it is necessary you should inquire whether those to whom millions upon millions of the money of the people have been entrusted, and who have hitherto heaped upon them in return for it distress upon distress, are about to change their system. They should hold out to

you some hopes that these great additional and tremendous sacrifices, which the public are now called upon to make, will be employed in a manner very different from those millions which have hitherto been used with so little effect.

“ That our situation is now an alarming and a dreadful one, is a proposition which I believe will not be denied. I shall hear, no doubt, that such situation has been brought upon us by extraordinary misfortunes. Certainly they are extraordinary misfortunes, but to whose fault are they chiefly owing? Was it not the duty of ministers not to have plunged us into a war, without considering what these misfortunes were likely to be?

“ But having entered into the war, ministers affect to be surprised at the exertions of the enemy. Is that wonderful, my lords? Have not sentiments been uttered in this House, and in other places, the natural effect of which is to unite all those who have any value for the liberties of mankind? When, therefore, we hear of our present situation being such as requires great exertions, I wish the argument to have a retrospective effect, that you may see the causes of your present calamity, otherwise you will have no chance of avoiding future ruin. But I would ask, how it is possible for any rational being to expect that the people will approve of the measure which is now before you? Can you expect that they will go hand in hand with you in pursuing that mode which a confiding Parliament has, with uniform reliance upon ministers, adopted from time to time, when you know, that in no one instance has that ministry answered the expectation of the public?

“ I certainly do think this country ought not to grant any more money without a proper pledge, not only that ministers are to be changed, but that the present system is to be changed also. I think that change of system comprehends a true representation of the people in Parliament—an entire and radical reform of abuses. You can never rationally hope for the cordial co-operation of the people without making them importantly interested in the constitution; at least allow them all the power they had at the commencement of the present contest. This is the only way to procure a safe and an honourable peace.

"I know it is a common argument in favour of administration to say, 'No ministers were ever in such a situation as the present are, and therefore great allowances are due to them. Why will you therefore endeavour to stop the supplies? that can only tend to strengthen or encourage the enemy.' I know that such an argument is frivolous in itself. I know that a change of ministers, and also of system, at least a pledge for it from the highest authority, may be procured in a few hours. It need not detain your proceedings so long as if you waited for a noble duke who happened to have missed his robes, and you could not go on with some ceremony in the House without him.

"No man can justly say I am recommending confusion; the thing I want may easily be done, if your lordships set seriously about it. You should withhold the supplies until you have a pledge for a change of ministers and of system; a change that would unite the hands and hearts of the people of Ireland: that generous country, my lords, is very ungenerously treated. I do not say that you should stop the supplies until perfect tranquillity be restored there; I only say you should stop the supplies until you have a pledge for a change of ministers and a change of system; that will naturally lead to the punishment of some guilty men. Until you have that pledge, I conceive that the more you vote, the more you add fuel to the fire which is consuming you, and burdens to the loads that are already bearing you down. This measure, if you adopt it, will ruin your character with the country at large.

"I hear unanimity often recommended, and it is much to be desired: but it never can be procured until the rights of the people are restored to them. These rights were very much infringed upon by certain bills which have prohibited public meetings in a particular manner. Until they are repealed, the people cannot express, or feel properly, the stake they have in the country. Voting bills of this nature is the way to produce animosity instead of unanimity; to make men hate instead of loving government; to make the people desperate; to invite instead of deterring the enemy from invasion. I see no probable chance of peace while our affairs are under the direction of the present ministers.

"I confess, that when I first looked on this bill, I thought it was quite impossible it should ever pass. I considered it as a mere threat, intended to frighten us into some other measure, for it is the great object of administration to create a facility for raising money. They complained of the facility with which debts have been heaped upon us by the funding system, merely, as I thought, the better to prepare us to add more upon that plan, by frightening us with the present bill. It is otherwise inconceivable to me how they, who have added two hundred millions to our debt, should have complained of the facility of the funding system. If this bill had been introduced at the beginning of the war, it would have told you what you were to expect, and I am sure you would have revolted at it; but now ministers know, indeed they tell you, 'That you are in a situation from which you cannot recede, and therefore we shall bleed you as we please.' Open resistance would have been the effect of such a measure as this, had it been introduced at the commencement of the war; but that was not the way in which the war was commenced. It was then stated that this war was not likely to be of long continuance, nor an expensive contest; and with a fatal readiness we entered into it. We were at one time told that twenty-five millions would be sufficient, and within half a year half as much more was called for. I only state these facts to shew you what reliance ought to be placed in the promises of the Minister.

"Ministers affect to be alarmed lest the French should come upon our coast—God avert the calamity. But will this bill prevent them? Ministers have constantly raised the hopes of the people, and have as constantly disappointed them. They went to war to prevent the opening of the Scheldt. Have they succeeded? They then said a great deal about protecting our allies. Have they protected any? None of these things are done, although upwards of two hundred millions have been expended, and the constitution of the country in many parts done away. If you would have the vigorous co-operation of the people, restore to them the constitution, and give to them a ministry in which they can confide; nothing else can retrieve you. They will not assist a ministry that is appointed by court intrigue; they will not confide in

those who are falsely called the representatives of the people; many of whom they know to be nominated by the members of this House, and therefore it is impossible that they should speak the voice of the people. I will go further, my lords; I say it is not enough that they should speak the voice of the people; it should be known, felt, and acknowledged that they do so; until these things are so, and until you have a ministry in which the people can confide, you never can have any prospect of success in any war in which you may be engaged, and above all, no hope for the restoration of the liberties of the people.

“ I confess, I do not understand with what view or intention this bill is brought forward. I should really think it was to foment discord; I cannot call it a tax. I do not hesitate to declare it is worse in point of principle than any of the plans of Robespierre; it certainly does not go to the same extent, but it is worse, I say, in principle, for Robespierre only charged the people for what they had, but this bill makes a charge on us for what we have had, without any regard to what we have. It is telling a man, ‘ I will make you pay according to what you have paid; I will rely upon it that you are rich, because you have spent your money in such a manner as is most likely to have made you poor.’ Taking this as a tax upon income, every man must object to it, because that must be a tax, in most cases, upon industry. The statement of this income, in cases of appeal, is made subject to the examination of commissioners. What security is there that what a man swears to, in this particular, shall be true? It should be remembered that men have in general a great repugnance to declare what their income is, and there are some to whom that declaration would be actual destruction. It is saying to a man, ‘ If you have any objection to my killing you, I will give you leave to kill yourself.’

“ As to the general idea, that this is not a tax that will fall upon the poor, I take that to be an impossibility; for you can never invent a tax that will fall upon many persons, and that will produce much money, without its falling ultimately upon the lower classes of society. You cannot raise seven or eight millions of money upon any part of the community, within the year,

without driving the mass of the people to great distress. I observe that all those who at present pay fifty pounds a year to the assessed taxes are to be assessed to five times the amount; that is, in all three hundred pounds a year upon this duty. How many do your lordships think may fail in this class? How many of them do you think may swear off for taxing them above a tenth of their income? And here give me leave to remind your lordships of the saying of Dean Swift, 'that two and two do not make four at the custom-house.' These are my objections to the measure which is now before you. Perhaps I owe you an apology for detaining you so long."

When the final discussion of this measure took place in the House of Peers, Lord Holland rose again, in reply to some observations on the part of Lord Grenville.

"At so late an hour," he said, "he would not detain their lordships, but he must take notice of some of the expressions of the noble Secretary, which had been personally addressed to him.

"In regard to his declaration about the present exigency of our affairs, and the necessity of our vigorous exertions, no person felt more sincerely, nor had expressed more warmly his conviction, than he had done, of the necessity of such exertions. It was his feeling on this subject that had given rise to the observations that he had ventured to make on a measure which, so far from being a measure of strength, was a measure of weakness; so far from holding forth the promise of vigour, was as delusive in point of real resource, as it was grinding in its operation. He had said that he would give his cheerful assent to a well-digested plan of taxation that should be voluntary, the only genuine source of supply; and that he proposed to suspend this feeble, as well as unjust measure, in order that they might have time to devise a more equal and more effectual means of raising the sum necessary to the occasions of the year, as well as of making the supply effectual to its purpose when raised.

"All the latter part of the noble lord's speech had been directed

particularly against what he had advanced with respect to a pledge, and was indeed an attack made upon him for that expression. It would have been well if the noble Lord had been pleased to state correctly the expression to which he had given so loud and so lofty an answer. He hardly thought it possible that words so simple could have been so misinterpreted, or misunderstood. In the pledge that he was desirous of obtaining he had used no ambiguous, and no undefined terms. He had stated correctly what he wanted—namely, the dismissal of his Majesty's present ministers, as a preliminary to the appointment of men in whom the nation could have just confidence for the restoration of their rights, and for a system of administration founded upon parliamentary reform. This expression was sufficiently clear and intelligible, one would think, to every noble lord; it was not new language in this country, yet out of this the noble Lord had made a vehement appeal to their lordships on the fundamental change that was to be made on the vital system of the British government. And, as if this were not enough, he had called in the alarm also of meddling with the Parliament of Ireland!

“In the moment of the discontents of that kingdom, was the Parliament of Ireland to be called upon to unsay all that they had said, and to concede parliamentary reform, after declaring that it would be fatal to the government of that country?

“Now what was the fact with respect to the Parliament of Ireland on this subject? All their lordships knew, that after having kicked over their bar the petitions of the people praying for catholic emancipation, the petitioners had gone to the foot of the throne with their representations, not to his Majesty's ministers; and the consequence of their petition was, an instruction sent out to grant the relief which was prayed for. Accordingly the self-same Parliament that had rejected the petitions with so much scorn, this jealous Parliament did resolve that a reform in the representation of the people would be a wise and salutary measure.

“Lord Holland said, he was sensible that the discussion of parliamentary reform, much less any allusion to Ireland, was not strictly in order this night, but the noble Lord had made it neces-

easy for him to say so much. The noble Secretary had drawn a dreadful charge against him, that he wanted to change the fundamental basis of the British constitution, as if he had reviled it, and said it was not a good and a happy constitution for a rational people to live under. Now, he certainly had not said one word against the constitution. It was a generous maxim, and which he should always pursue—" *de mortuis nil nisi bonum* ;" he would never speak ill of the dead. The sort of argument that the noble Lord had used reminded him of some humorous verses by one of our best poets (Prior) :

' Thus Harlequin extoll'd his horse,
Fit for the road, the race, the course :
One fault he had,—a fault indeed !
And what was that—the horse was dead.'

So of the genuine constitution of England :—it had every excellent quality that could endear it to a rational or a free people ; but alas it was no longer in existence. What he wanted, and he had expressed himself in clear language, was to revive that constitution in its purity, and the means was not by any innovating course, but by restoring to the people a just representation in Parliament. In doing this, he had no hesitation in saying that the species of reform which had been accurately described in another place met with his perfect concurrence."*

* The following is the copy of a Protest against this measure :

DISSENTIENT,

Because, We conceive that in the present circumstances no grant of money by Parliament can alone be sufficient to extricate the country from its alarming and critical situation.

When the exigencies of the state are such, as to demand large supplies from the people, our duty is not confined to the bare consideration of the necessity of the case, or the mode of levying the money. We are not, from the pressure of circumstances, and the approach of danger, hastily to concur in laying additional burthens on our fellow-subjects, without insuring to the public a wise application of the money so raised, and without due precautions for

When the late Duke of Bedford, whose memory is so dear to every friend of freedom, soon after moved a vote of censure against the Cabinet, he

directing the efforts of the people to their only legitimate object, the benefit of the community. A neglect of this, the most important of all parliamentary duties, must produce, and in our opinions it has already produced, consequences the most fatal to the dignity of the nation, the stability of the government, and the interests of the people. In the unconditional compliance with the demands of the executive government again proposed as the remedy, we perceive the real and fatal source of the evil. Year after year his Majesty's ministers have grounded their application to Parliament upon the urgency of the occasion, and the extraordinary exigencies of the state. To satisfy their demands, to enable them to encounter the dangers, and remove the difficulties in which we were involved, every article of luxury or convenience has been taxed, the resources of the country have been exhausted, and sums unparalleled in history have been entrusted to their disposal; yet, year after year the occasion has become more urgent, the exigencies more pressing, the difficulties more alarming, and the dangers more immediate. The security of the nation has been shaken in the same proportion as the prosperity of the country has been impaired, external danger has kept pace with internal distress, and the exertions which have impoverished the people, and shaken our credit, have purchased nothing but the loss of national honour, the defection of allies, and the failure of every great object of the war.

If the whole force of Great Britain and Ireland, aided by grants, lavished beyond the example of the most improvident times, assisted by the most powerful monarchs of Europe, has proved insufficient in the hands of ministers to secure the blessings of peace, or even to avert the present awful circumstances of the country, it seems inconsistent with reason to expect that the painful efforts of an empire, whose means are exhausted by taxation, whose spirits are damped by failure, and whose affections are in

was supported by Lord Holland, who spoke as follows :

“ My Lords, if it were possible for me to be surprised at any thing that comes from those noble lords who have espoused the

part alienated by oppression, can, without a single ally, under the direction of the same men, resist with effect a powerful and exasperated enemy, elated with success, strengthened by conquest, and supported by the united powers of Holland and of Spain. In this situation of affairs, to persevere in the system which has produced it, to confide in the ministers who, with the aid of so many millions, have been unable to avert it, evinces, in our opinion, a total disregard of the common maxims of prudence, a wanton rejection of the lessons of experience, and a determined neglect of the most important of our parliamentary duties. Under the persuasion, therefore, that the dangers with which we are now threatened are the result of force, directed to objects at once impracticable and foreign to the interests of this country ; that they are the necessary consequences of a misapplication of the public money, and the natural fruits of the incapacity and profusion of those to whom it has been improvidently entrusted, we deemed it our duty not to sanction any grant to the executive government until a pledge was given to the House, by the removal of his Majesty's ministers, of a complete alteration in his councils. We held it neither just to impose, nor reasonable to require, any additional sacrifices from our fellow-subjects, until some prospect was held out to the people of a reform of that House which had granted, and a censure of those ministers who had lavished sums so enormous, without any benefit resulting to the community. We thought that while his Majesty's affairs were conducted by those who originally engaged in this calamitous contest, and who can neither carry on war nor negotiation with honour, advantage, or success, no grant of money by Parliament, no sacrifices on the part of the people, could afford a reasonable hope that the blessings of peace would be speedily restored, or permanently secured. We imagined, that until some earnest was given of a radical alteration of the system

cause, and defended the conduct of his Majesty's present ministers, I must be astonished at some of the assertions of the noble Lord who has spoken against the address moved by my noble friend and relation. That the country is in a state of unprecedented cala-

of terror and coercion in Ireland, of the repeal of the two bills; the one entitled, 'An act for the safety and preservation of his Majesty's person and government against treasonable and seditious practices and attempts,' and the other entitled, 'An act for the more effectually preventing seditious meetings and assemblies,' of economy in public expenditure, and diminution of the enormous patronage and influence of the Crown, we were not warranted in expecting that cheerful co-operation of the people, which being at once the indication and result of a reciprocal confidence between the government and the governed, can only be restored by the restoration of the ancient and happy practice of a constitution undisfigured by coercive laws—of a Parliament speaking the sense of the people—and a ministry dependent on the voice of the Parliament.

Because it appears to us that any attempt to raise the supplies within the year, in the present exhausted state of the country, must be attended with the greatest difficulty and danger.

Because were we to allow that the principle of raising the supplies by contribution instead of loan, was just, wise, and expedient, yet, under the present ministers, it would appear to us attended with the utmost danger, as the real expences of the year have generally exceeded by nearly one-half their calculation; and thus any regulations for the equal distribution of the burden which were adopted upon the first calculation, might be rendered ineffectual by subsequent and more extensive demands.

“ Because if the bill is intended as a tax upon expenditure, its retrospective operation is arbitrary and cruel in the extreme, and altogether repugnant to the usages of our ancestors, the faith of civilized governments, and the common dictates of humanity and justice. If it is intended as a tax upon income, in our opinion the criterion proposed is objectionable and inadequate, and, above all, as income is of various descriptions, sometimes arising from per-

mity and distress, is a proposition which I thought till this night no man could have been hardy enough to deny. To me it appears that our calamities and distress are so great, and the dangers which menace the country from the present war, are of such number and magnitude, that I am astonished how any one can be thoughtless or sanguine enough to think that there is the smallest

manent and disposable capital, sometimes from precarious or temporary possessions, and sometimes from labour, talents, or industry, we deem any attempt to proportion the burthen to the income, in itself unjust, unequal, and impolitic. If it is intended as a tax upon property, neither in the original criterion, viz. the assessed taxes of 1797, nor in the proposed relief do we recognize any just principles of taxation, or perceive any fair or adequate method suggested for the impartial distribution of the burthen.

“ Because the relief proposed to those who may, by the increase of their assessed taxes, be liable to pay more than the tenth of their income, requires a disclosure of their pecuniary circumstances, which is contrary to the customs and prejudices of Englishmen, and repugnant to the principles of the constitution ; and which, to persons engaged in commerce or trade, must be attended with yet greater inconveniences than the payment of more than the tenth of their income. Furthermore, this regulation appears to us an indirect breach of the faith so often and so sacredly pledged to the stockholder, for should the whole of the income of any individual claiming this relief consist in a dividend upon stock, a tenth of that income is immediately sacrificed, and the dividend, in violation of the faith of Parliament and the nation, diminished one-tenth by the intervention of government.

“ Because the operation of this bill is not confined to a definite period of time, but by the most wanton violation of justice, remains in full force till a certain sum is produced ; thus exacting from the honest the deficiencies which may have been occasioned by accidental circumstances, by the designs or the distress of individuals, by the favour or the neglect of the collectors.

“ HOLLAND.

“ OXFORD.”

hope of a successful issue, particularly under the administration of those whose rashness first brought the nation into a war, and whose impotence and incapacity have rendered that war more than any other shameful and disastrous.

“The noble Lord, though he boasts of the dignified state of this country as compared with others in Europe, admits nevertheless, that the time is pregnant with danger—If, then, we do stand in that perilous situation—if we are, as the noble Lord says, threatened by a conspiracy; if the enemy is at our gates; are we not in a situation which requires the assistance of men of talents, fortitude, and vigour; which calls upon this House to withdraw their support from his Majesty’s present ministers, who have exhibited through the whole of their ministerial office a total want of capacity and vigour; and who, from the nature of their conduct in the course of this war, have not only involved the country in calamity and danger, but rendered themselves incapable of ever extricating it again? It may seem strange, my Lords, that I, who must be conscious of my own inexperience and deficiency, impeach thus the understanding of men who are allowed to have among them much talents. That they have great talents, I readily admit; but that those talents they possess are fitted for the present times, I take the liberty to deny;

‘Non tali auxilio, nec defensoribus istis,

Tempus eget.’

“Lofty declamation without energy; boastful eloquence without vigour; cunning without wisdom; feeble efforts or temporising expedient will never rescue this country from the dangers which press upon it from all parts. On the origin of the war, I shall offer a few remarks, since they have been touched upon by the noble Baron who has spoken against the motion. Although a noble Lord (Lord Grenville) took upon himself to rebuke me on a former night for the sentiments I had avowed on that subject, I will not be deterred or amused from my purpose of repeating them now. The laws and constitution give me a power to speak, to offer my advice and opinion as a Peer in this House, and I have a right to make use of all the materials in my possession. The

noble Lord has denied that the restoration of monarchy in France was the primary object of the war, and has given the authority of Tallien, who, in a public paper, avowed that it was not the republic, but France, against which England waged war. This, my lords, was at one time true, and at another false, just as it happened to suit the occasional views of Ministers. Your lordships know what were the doctrines which were laid down by a celebrated gentleman, now deceased, whose talents I admired, whose virtues I revered, and whose memory I respect. I mean Mr. Burke. That great man maintained, that, without the restoration of a monarchy of some form or other in France, there was no security for Europe. My lords, it is to the confusion of those two doctrines we are to attribute all the errors and all the calamities of the war; for while Mr. Burke urged the necessity of overturning the republic, ministers thought that a proper pretext and a fit opportunity to attack France; and thus unhappily contrived to enlist every man in France, whether republican or loyalist, against them, and to irritate and inflame them against this country.

“ By this confusion of principle, by the duplicity of their conduct, and by the obvious treachery of their views, did the allies enlist, not only the interests, but the natural vanity of France, against them; so that every individual in that country felt it to be his principle and his duty to resist an infamous combination of princes, who commenced the war by deceit, and ended it in blunders and disgrace. With views such as these the war originated; England being at that time, as has been stated, in a condition of unexampled prosperity. Now that all the objects which government had in view, whether those so ably enforced by Mr. Burke on one hand, or the indefinite views of the Minister on the other, have completely failed, cannot be denied; neither can it be overlooked that France, at the commencement of the contest, had every imaginable difficulty to encounter. Have I not then a right to say, that this country, flourishing as it was, found it impossible to check the progress of France, crippled and depressed; and is it not fair to presume that such miscarriages, so uniformly happening to every plan of ministers, can only be owing to their total want of talents and capacity as statesmen? They set out with a

very confident promise that the war would be short in duration; it has turned out otherwise, and it is natural enough for them to plead, and it may be candid for us to admit, that so far they were in error; but if a long series of action is found to be but one long series of error; if in a period of six years changing from principle to principle, and shifting from expedient to expedient, they are found not to have been once right, am I not justified in saying, that they have neither talents, vigour, nor capacity, and ought to be dismissed, in order to give place to men better qualified to govern the country in the arduous and dangerous contest in which we are involved by their folly and wickedness? But, says a noble Lord, 'this would be ingratitude; this would be to dismiss men who have rendered great service to the country, and raised its finances to a state of unprecedented affluence and prosperity.' But shall such a paltry evasion be deemed a justification of their having again destroyed the finances of the country? Let ministers restore the finances even to the situation in which they stood at the period previous to their boasted services! Not only have they undone what they themselves did, but all that had been done before their times. Are we to allow this in justification of their misconduct? Are we, out of gratitude for a small benefit, supposed to be done in time of peace, to overlook the most unjustifiable misconduct of ministers, and devote the country to them and ruin in time of war?

"My Lords, it is impossible but you must remember that, at the beginning of every session, the Minister has said to Parliament, 'There is your expences for this year:' and that invariably and constantly the sum has been doubled before the end of the session. This is called 'an unforeseen accident.' Subsidies were unexpectedly found to be necessary, and the ordinary mode of supply was departed from. Those were as unlucky and as wrong as all other parts of the Minister's politics; and here too they plead error: but can they say that they were not cautioned against these subsidies? Were there no men eminent for virtue and talents, who predicted at the time that the subsidized powers would desert the alliance; and that the treasures of the nation would be squandered in vain? I will not dwell upon the desertion of Prussia,

because it is now so long known, and, indeed, was from the beginning so obvious, that it must be familiar to your lordships; but Austria was subsidized; and Sardinia was subsidized to carry on the war. Holland did not desire our interference; and all, as they began, so they continued to carry on the war merely because this country persuaded them to carry it on.

“But happy would it have been for this country if ministers, instead of subsidizing those powers to carry on the war, had allowed, or even subsidized them to make peace; it may have been justifiable in them to subsidize Prussia to make peace, but it is most unfortunate that Austria was not persuaded to make peace before Belgium was lost. When Sardinia, in return for our subsidy, made a peace with France, it was “an unforeseen accident.” Every failure of the ministers was “an unforeseen accident.” A noble Marquis (Lansdown) in words which I had not the pleasure to hear, but which, if truly reported, in my opinion equalled any that have ever been uttered in this House for wisdom and prescience, once said, that the allies, by their conduct in the war, would establish a military republic in the heart of Europe—and so it turned out. Was that an unforeseen accident? No, not unforeseen. Admitting that it could be termed unfortunate, and that all the misconduct of the war could be considered as no worse than unfortunate, it does not alter the grounds of my noble friend’s motion; for if the measures of any particular set of men happen to be unfortunate, it is good and sufficient grounds for dismissing them, since very good or very bad fortune have a very impressive effect on the minds of men.

“My lords, I shall now trouble you with a few observations on the very important subject of Ireland. A noble Lord, in answer to my noble friend’s proposal for conciliation, has asked if any one will put his hand to his heart, and say, that conciliation would produce the effect of tranquilizing that country? I ask, will any one put his hand to his heart, and say, that coercion will produce it? Can any one point out a single instance of such an effect having been produced by such means in such circumstances? Has the war with France, or has that with America, both of which inspired their advocates with the most sanguine and pre-

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sumptuous hopes, given reason to put any confidence in coercion? My lords, I can put my hand to my heart, and say, that I am persuaded his majesty's present ministers cannot tranquilize that country even by conciliation. How can they conciliate, whose concessions are always known to be the concessions of weakness and fear, who refuse to supplication what they grant to menace; who not only in the case of France, but even in that of the mutinies at Portsmouth, and of the grants to Ireland, never conceded that which they had not before refused; and who never granted even to the Irish (the most generous people upon earth) any thing without struggle and reluctance?

"And thus, my lords, the rulers of France, argue of our minister; and hence arises their reluctance to make peace till they can exact from the fear and feebleness of administration that which they would despair of obtaining from any other set of men. When they observe in the political tactics here the nature of our minister, and his jealousy of the people, they naturally say, why does he ask for peace? Is it for the sake of peace in its true spirit? No; no such thing. Is it because he thinks peace wise, or prudent, or just? No; no such thing; but because he finds, as he has held it out, that the people are adverse to the war, and demand a peace with a clamour which can only be appeased by holding out the pretext of negotiation; and speculating in this manner on the conduct of ministers, the directory withhold that peace which, if any other men were our ministers, they would feel it to be their interest to grant to us.

"As to our negotiations, the first proposal made by ministers was, when Jourdan was at the head of a victorious army; but that ended because the restoration of Belgium was made a *sine qua non*. In this case, the weakness of ministers appeared; for they ought to have duly considered, first, the probability of regaining that country; and next, whether the sum of money that might be expended in regaining it would not be more than Belgium in the hands of Austria would be worth to us. It is well known that in Vienna, Belgium was looked upon as an incumbrance; to urge Austria to fight for it, therefore, and to pay a subsidy for that purpose, rely upon it, was actual insanity. To

pay subsidies for the purpose of maintaining Belgium as a *sine qua non*, is a proof of either such incapacity or such insincerity as ought not to be pardoned. The British minister, who was so dignified that he would hold no terms or intercourse with the murderers of the king of France, was found sending a plenipotentiary over to crouch to one of the worst of those very murderers—and the enemy, very sagaciously inferred from thence that, by waiting longer, they would have more ample concessions ; for the *malus animus* is no more dead among the rulers of France, than among our ministers. My lords, ministers give out that they stay in office to keep out others who would be worse than themselves. This I conceive to be extremely arrogant ; for is it not insulting the nation at large to suggest that there are in it only two men fit for the office ? For my part, my lords, I am sure there are many ; and I pledge myself to support any set of men who will make the attainment of peace their object. As for reform, I pledge myself to pursue it, as necessary to prevent the same system from taking place here, which produced the French Revolution, as well as that in America. To dismiss ministers is therefore necessary ; and I, for my part, will support, in or out of this House, such ministers supplying their place as will take measures to conciliate Ireland, not by offering them terms, but by giving them what they desire ; for it is not for us to determine for them what may be in our opinions a wise government. Every country has a right to be governed in that way that makes them happy."

In 1799, when Mr. Pitt and his coadjutors in the Cabinet, deemed it fit to bring in a bill to suspend the *habeas corpus act*, for the fourth time, Lord Holland, in a very animated speech, denied the necessity of the measure. It being, however, carried through both Houses by a great majority, this nobleman, still unsatisfied with the propriety of such a dangerous resource, resorted to his privilege as a Peer, and drew up and signed the following pro-

test, with which we present the reader, as a clear and concise statement of the reasons adduced by him on this occasion.

“Dissentient,

“1st, Because the existence of a conspiracy, of an extent so formidable, and of a nature so complicated, that the public disclosures of the evidence necessary to the conviction of one conspirator might enable his accomplices to ascertain the information of government, and to elude the justice of the country, can alone constitute a necessity sufficient to justify a Peer of Parliament in assenting to any suspension of the habeas corpus.

“2dly, Because no measures have been taken to make such necessity apparent.

“3dly, Because if, from private information, or from the general circumstances of the country, the House were convinced that such necessity did actually exist, it would, nevertheless, be more consonant with the usages, and less derogatory to the dignity of Parliament, to produce substantial documents, rather than the suggestions of ministers, or the vague suspicions of individuals, in justification of so extraordinary a measure.

“4thly, Because the alarms of ministers are always to be received with mistrust by the Legislature, when the remedy proposed is an extension of their power, and a diminution of the liberty of the subject.

“5thly, Because these principles of jealousy, applicable to all times, appear to me to be peculiarly so to the present, when a system of government by alarm has been resorted to, year after year, and powers similar to those required by this bill been obtained on the score of allegations which subsequent events have refuted; a memorable example of which occurred in the years 1794 and 1795, when a number of persons detained under the provisions of a bill similar to this, were all either liberated without trial, or acquitted by a verdict of their country.

“6thly, Because the danger of an invasion (the pretence for suspending the habeas corpus last session) exists no longer. And

It is subversive of that mutual confidence which should subsist between the government and the governed, to requite with distrust in their dispositions, and a continual suspension of one of the most essential safeguards of their liberty, the affections of the people, manifested in their late exertions at the moment of alarm, and in the cheerfulness with which they have submitted to burdens unparalleled in their pressure, and now confessedly unequal in their operation.

(Signed)

“ HOLLAND.”

His lordship was now accustomed to rise and express his opinion on all the great questions that came before the House. When the income tax was proposed, he pointed out many imperfections in the bill introduced for levying it, such as its *inequality*, hereditary fortunes and life annuities being put exactly on the same footing. He also considered the public faith as in some measure violated, by the tax on the funds, and on this occasion quoted an apposite example from the conduct of the government of France, which having agreed to deliver up certain subjects of the Crown of Portugal, in compliance with a recent engagement to the Court of Madrid, sent off the prisoners to Barcelona, but at the same time dispatched a frigate after them, observing, “ We released you as Spanish allies; we now capture you as Portuguese.”

In June, 1799, when the ministers proposed to lay the press under new restraints, Lord Holland opposed the bill brought in for that purpose, and as usual pointed out a redress of grievances as the only efficient and constitutional mode of quieting the minds of the people.

"It was the constant practice of the Legislature to watch with jealousy the progress of the government and the new powers vested in it. How had government used the power it recently acquired? They sent to the dungeons of a penitentiary house, originally intended for the punishment of convicted criminals, persons taken up merely on suspicion, yet who were, in the eye of law, and of common reason, to be considered innocent till they should be found guilty. With respect to the manner the present bill would affect what remained of the liberty of the press, he would ask their lordships, whether it was necessary to enact such severe restrictions while the present laws existed? The experience of every day shewed that government could prosecute with rigour, and punish with effect. In fact, the prosecutions of the present day had, he thought, been marked with injustice, of which he would give as instances that against Mr. G. Wakefield* and the *Courier*. He thought the law would in all cases be satisfied with holding one person responsible for any publication; to punish more than one was cruel. Here the noble lord took a general view of the proceedings in those cases, and complained of the severity of punishing Mr. Wakefield for publishing his sentiments:—it was not the publication of a man connected with a party, but of a person of known literary habits, and whose writings could not be supposed calculated much to guide the opinions

* "As soon as Mr. Wakefield was lodged in the King's Bench prison, he procured a few volumes from his library, and pursued his studies, &c. Besides an almost daily association with his intimate friends, he was now resorted to by many with whom he had no previous personal acquaintance. But they knew him by his writings, and had formed a high respect for his character. Some of these were distinguished in public life, by their rank and talents. We cannot forbear to mention the names of the late lamented Duke of Bedford, Mr. Fox, and Lord Holland. With Mr. Fox, he had some time past maintained a correspondence upon subjects of ancient literature."—*Life of Gilbert Wakefield*, Vol. II. p. 150.

of common men, as they were always interlarded with Greek and Latin quotations. He would probably be told that it was treating this gentleman with lenity to send him to Dòrchester jail, but if that was the most healthy and best situated jail in the kingdom, yet was it not obvious, that to be removed from the metropolis would much affect the interests of a man who got his subsistence merely by his literary labours? He admitted that a British jury had found him guilty of the libel. With regard to the other prosecutions, he maintained that it was a gross partiality not to have prosecuted the *Sun* for a libel on the Parliament of Ireland—a libel for which that paper had been burnt by the common hangman—and yet to have prosecuted the *Courier* for publishing at second-hand what in fact was truth—for who did not know that the government of Russia was the most tyrannical in Europe?"

Soon after this, Lord Holland moved the House for an address to his majesty, praying that a treaty might be entered into with the French government; but notwithstanding the ministers affected to *scout* this measure, they themselves, during the same session of parliament, actually consented to a negotiation, "during which they talked in a haughty tone, and threw out severe and pointed insult."

He on this occasion, after allowing that France on many occasions, had abused her superiority, asked, "what had been our *own* conduct to neutral powers? Had we not violated the neutrality of the Grand Duke of Tuscany, in spite of the most solemn treaties? Had we not violated the neutrality of Genoa? What was the conduct of our allies? Did not Russia violate the neutrality of other states? Did it not prescribe to the King of Den-

mark that no clubs should be permitted in his dominions?—He was aware, that to prove that we or our allies were guilty of the same crime, did not exculpate the French, but when he saw such unjustifiable proceedings on the side of those who made the crimes of France the cause of the war, it proved that these were nothing but a pretext.”

On the 12th of February, 1800, his lordship moved “for an inquiry into the causes of the late expedition to Holland,” which he characterized as calamitous and disgraceful. On this occasion he observed, “that he knew the weather and climate of the House,” and he was not mistaken, for his proposition was negatived.

At length, Mr. Pitt and the Cabinet ministers thought proper to retire, and Mr. Addington having been called to the helm, seized the first opportunity of entering into a negotiation with France. Soon after the peace of Amiens, Lord Holland, in consequence of a bad state of health, found it necessary to retire to the continent, and pitched upon Spain, on account of its salubrious climate. His lordship accordingly repaired to Barcelona, and remained there with his family, until a new rupture, and a new war took place with France. No sooner was the Court of Madrid threatened to be involved in the common calamity, than he returned to that capital, and having obtained the necessary passports for leaving the kingdom, he set out on the 14th of November, 1804, in company with Mr. Frere, Secretary to the English embassy,

Their joint household establishment being large, the three carriages and a waggon appertaining to them, were unable to proceed above twenty miles a day, so that it was the 10th of December before they reached Lisbon.

His lordship, after remaining a short time there, returned early in the ensuing spring to Holland-house, and we find him May 24, 1805, supporting Lord Darnley's motion for an inquiry into the state of naval affairs.

Lord Holland upon this occasion ridiculed the conduct pursued by the new first lord of the admiralty (Viscount Melville), who had entered an office with great promises, that was destitute of novelty in every thing but the *catamaran* system. The doubt, whether it was better to build in the king's or the merchants' yards, was with him a good reason for going into a committee, more especially as a tender from the merchants for building 74 gun-ships at 26*l.* per ton in three years had been rejected in 1803, while a noble lord had contracted for such ships in 1805, at 36*l.* per ton. On the 28th of June, 1805, he expressed his sentiments relative to the new contest, and observed, " that the reluctance of foreign powers to enter into an alliance with us, arose from their weariness of hostilities, and a dread of our rapacity and ambition. The Emperor of Russia," he added, " could not look at a dollar given him by us, without being reminded of a disposition in us that he could but ill relish in an ally, and we had so managed our special pleadings on the war,

that the general feelings of Europe were turned against us."

At length, a new and unexpected epoch took place in our domestic history. This was no less than the return of the remnant of the whigs to place, in conjunction with the Addingtonian, and the Grenville parties. The minister, who for twenty years had regulated the destinies of the empire, was now no more, and he who, during the latter part of his life, had been detested by a large portion of the nation, stood a chance to be *deified*, in consequence of a *new* coalition, which produced a public burial at the expence of the state, the most unqualified eulogiums on the part of his friends, and a total oblivion on the side of his enemies and opponents.

It was far otherwise, however, with one of his coadjutors. Henry Dundas, Lord Melville, who during the greater part of his life had been in office, having been accused of malversation in the 10th report of the naval commissioners, notwithstanding Mr. Pitt interposed, his *Ægis*, was dismissed from the office of first lord of the admiralty, struck out of the list of privy counsellors, and impeached in the name of the Commons of England.

This is not the place to enter into the particulars of a trial which must be allowed to be extraordinary, in many points of view. It is sufficient for the present purpose to observe, that Lord Holland and several other distinguished peers, seem to have thought and felt differently from the majority on

this occasion. They accordingly entered several protests* on the journals of the House, in which

* *Die Jovis*, 12 Jun. 1806.

The order of the day being read, for the proceeding further in the trial of Henry Viscount Melville, upon the articles of impeachment brought up against him by the Commons, for high crimes and misdemeanors,

It was moved, that the House do now adjourn to Westminster Hall. The question was put thereupon, and it was resolved in the affirmative.

The following protests were then given in by the Lords whose names are subjoined :

Dissentient.—1st. Because, as far as we can collect from an examination of precedents, it has been the invariable practice of this House, in cases of impeachment for high crimes and misdemeanors, to come to some vote within the Chamber of Parliament, on the merit of the charges presented by the Commons—and we have now, for the first time, adjourned to deliver our verdicts severally in the place of trial, without any such previous decision.

2dly, Because the usages of Parliament are founded on the experience of ages ; and where the practice of our ancestors has been uniform, we are ready to acknowledge, that their example has with us the weight of authority, until it be contradicted by our own experience, or superseded by a sense of inconvenience, which has already occurred.

That a resolution voted in the House, may be at variance with the subsequent verdict delivered in the Hall, cannot indeed be controverted, but even were we to admit, which most assuredly we do not, such an event to be a mischievous anomaly, as termed in debate, yet the bare possibility of supposed inconsistencies and anomalies, furnishes no argument for the departure from an usage in which, though practised for ages, no such inconsistency has occurred, and no such anomaly has been produced—for the consequences of such reasoning might lead us to condemn the una-

they seem to have dissented from the opinions of the judges on certain questions referred to their decision.

nimity which the law requires from a jury, to question the wisdom of keeping the different branches of the legislature distinct, and to try by the test of hypothesis, institutions which the practice of former times, and the experience of our own, have shewn to be beneficial and wise.

3dly. Because in complicated matters the propriety and even necessity of previous discussion must be obvious, and on this occasion it was distinctly acknowledged by every Lord who spoke in debate; and we know no parliamentary mode of discussing a subject, and of insuring attention to that discussion, but by a question to be decided by the majority of the House.

4thly, Because our apprehensions of inconvenience and delay, arising from an unusual order of proceeding, have, in our judgments, been amply justified by the event—and though in compliance with the wish of many Lords we are unwilling to disturb a mode which had been recommended, but which it was in the power of any individual Lord to defeat, we hope it is not disrespectful to the House, and we trust it may not be altogether unuseful to posterity, to record this our humble but fixed opinion, that the deviation from the practice of our ancestors has tended to place in a stronger light the convenience and necessity of the method which they uniformly pursued.

AUCKLAND.

DUNDAS.

SUFFOLK & BERKSHIRE.

ROSSLYN.

ST. JOHN.

VASSAL HOLLAND.

LAUDERDALE.

OXFORD & MORTIMER.

CARYSFORT.

Then the House adjourned into Westminster Hall, and the Lords being seated in their places, and Viscount Melville being seated on a stool within the bar, the several questions were stated to their lordships, and the Lords having severally answered thereto :

Soon after, Lord Holland engaged in the humane office of meliorating the existing code of

The Lord Chancellor declared, that the answer of a majority of the Lords to each of the said questions respectively was, " Not Guilty."

Dissentient from the answer to the second question :

1st. Because, subsequent to the appointment of Viscount Melville, for the second time, to the office of treasurer, an act of parliament was passed, intituled " an act for the better regulating the office of treasurer of his majesty's navy."

Whereby it is, amongst other things, enacted, ' that from and after the 1st July, 1785, no money for the service of the navy shall be issued from his majesty's exchequer to the treasurer of the navy, or shall be placed or directed to be placed in his hands or possession, but the same shall be issued, and directed to be paid to the governor and company of the Bank of England, and to be placed to certain accounts, according to the services for which it is craved and issued.

' And the monies to be issued unto the governor and company of the Bank of England, on account of the treasurer of his majesty's navy, shall not be paid out of the Bank unless for navy services, and in pursuance of drafts to be drawn on the governor and company of the Bank of England, and signed by the treasurer of his majesty's navy for the time being, or the person or persons authorised by him. And that upon the death, resignation, or removal of the present and every other treasurer of his majesty's navy hereafter to be appointed, the balance of cash for which he shall at that time have credit on his account or accounts as treasurer of his majesty's navy, with the governor and company of the Bank of England, shall, at the end of the current month after a successor shall be appointed to the said office, actually vest in such successor in trust, for the services of the navy, and be forthwith transferred, carried over, and placed to the account of such successor.'

2dly, Because it has been shewn in evidence by the Commons, that, in direct breach and violation of that statute, the said Henry

law between debtor and creditor. This, although founded on narrow commercial principles, never fails

Viscount Melville did give permission to Alexander Trotter, his paymaster, to draw from the Bank of England, for other purposes than for application to navy services, sums of money issued to the governor and company of the Bank of England, on account of the treasurer of the navy, and to place the same in the hands of his private banker; that the said Alexander Trotter, in consequence of such permission, did draw from the Bank of England large sums of public money, and place the same in the hands of his private bankers, in his own name, and at his own disposal, and beyond the controul of the treasurer of the navy; and because it has been proved, that the said Alexander Trotter derived private profit and emolument from the public monies thereby taken from the bank to a great amount; and that the said Viscount Melville did believe and understand that the said Alexander Trotter did derive advantage and emolument therefrom, and did not prohibit him from so doing; by all which conduct the said statute was grossly violated, and the enactment relative to the transfer of the balance of public money on the death, resignation, or removal of the existing treasurer of the navy, to his successor, in case of the death of the said Alexander Trotter, during the period of his having outstanding balances of public money in the hands of Messrs. Thomas Coutts and Company, rendered altogether impracticable.

3rdly, "Because the reasons assigned by Viscount Melville for granting permission to the said Alexander Trotter to place the public money with his private banker, are frivolous and unfounded, and therefore we have good cause to believe that they were not the real motives for such breach and violation of the law.

DAWNAY.

DE DUNSTANVILLE.

AUGUSTUS FREDERICK.

ROSSLYN.

VASSAL HOLLAND.

LAUDERDALE.

SUFFOLK AND BERKSHIRE.

OXFORD AND MORTIMER.

DUNDAS.

ST. JOHN.

CLINTON.

to find supporters in nearly all the lawyers of both Houses of Parliament, and it accordingly occurred

Dissentient, from the answer to the sixth and seventh questions.

Because it is our serious persuasion as men, and our deliberate opinion as judges, that not only a sense of public duty and of honour, but the strict and positive injunctions of law, prohibited Lord Viscount Melville from deriving any profit or advantage, and from permitting or conniving at others deriving such profit or advantage, directly or indirectly, from public money, during his second treasurership, and especially from and after the first of July, 1785, for it appears :

That on the 19th of June, 1792, the House of Commons resolved, " That it is the opinion of this House, that from henceforward the paymaster-general of his majesty's forces, and the treasurer of the Navy for the time being, shall not apply any sum or sums of money imprested to them, for any purpose of advantage or interest to themselves, either directly or indirectly."

That the warrant, appointing Lord Viscount Melville to the office of treasurer of the navy in August, 1782, granted to him an additional salary of 262*l.* 6*s.* 6*d.* in full satisfaction of all wages and fees, and other profits and emoluments heretofore enjoyed by former treasurers of his majesty's navy; and that Lord Viscount Melville himself declared before the commissioners of naval inquiry, that he considered the said additional salary to be in full satisfaction of all other profits and emoluments.

That subsequent to the appointment of Lord Viscount Melville, for the second time, to the office of treasurer, an act of Parliament was passed, intituled, " An act for better regulating the office of treasurer of his majesty's navy."

Whereby it is, among other things, enacted, that from and after the 1st day of July, 1786, no money for the service of the navy shall be issued from his majesty's exchequer to the treasurer of the Navy, or shall be placed, or directed to be placed, in his hands or possession, but the same shall be issued and paid to the gover-

on the present, as on former occasions, that several of the most beneficial and effective clauses were

nor and company of the Bank of England, and to be placed to certain accounts, according to the services for which it is craved and issued.

And that the monies to be issued unto the governor and company of the Bank of England, on account of the treasurer of his majesty's navy, shall not be paid out of the Bank, unless for navy services, and in pursuance of drafts to be drawn on the governor and company of the Bank of England, and signed by the treasurer of his majesty's navy for the time being, or the person or persons authorized by him; and that upon the death, resignation, or removal of the present, and every other treasurer of his majesty's navy hereafter to be appointed, the balance of cash, for which he shall at that time have credit, on his account or accounts as treasurer of his majesty's navy, with the governor and company of the Bank of England, shall, at the end of the current month after a successor shall be appointed to the said office, actually vest in such successor, in trust for the service of the navy, and be forthwith transferred, carried over, and placed to the account or accounts of such successor.

2dly, Because it has been shewn in evidence by the Commons, that in disregard of the rule and order of office, in breach of the obligation created by the said resolution and warrant, and in violation of the spirit and letter of the said act of Parliament, Alexander Trotter, paymaster of the navy, by desire of Lord Viscount Melville, opened an account, called the chest account, in which he debited Lord Viscount Melville with 10,600*l.* being the sum of money for which Lord Viscount Melville, by his own confession, was at that time accountable to the public; that various advances were made at subsequent periods on the same account, in consequence of requisitions from Lord Viscount Melville to the said Alexander Trotter in the nature of commands, with which requisitions the said Alexander Trotter universally complied without any remonstrance; that no interest was ever paid by, or charged to

either mutilated or curtailed. Notwithstanding this, relief was held out to a number of unhappy

Lord Viscount Melville for these said advances; that the said Alexander Trotter always considered Lord Viscount Melville to be immediately indebted to the public, in the sums for which he was debited in the said chest account, and that Lord Viscount Melville understood and knew himself to be so indebted; that the said Alexander Trotter, having advanced to Lord Viscount Melville, in 1797, the sum of 10,000*l.* in order to pay the instalments on his the said Lord Viscount Melville's subscription to a public loan, known by the name of the loyalty loan, and having, in the first instance, debited the said Lord Viscount Melville for that sum, in another account kept between the said Lord Viscount Melville and the said Alexander Trotter, intituled, their account current, did afterwards, for his own greater security, transfer the same, to the chest account, and did present a copy of the said account, bearing on the face of it a statement of the said transaction to Lord Viscount Melville, by whom it was regularly, duly, and formally settled and signed, and to whom the original book, or a duplicate thereof so settled and signed, was delivered; and the said Alexander Trotter did, at subsequent periods, present other statements and duplicates of the said account, containing the said charge, which the said Lord Viscount Melville did in like manner receive, settle, and sign. And furthermore it has been proved, that notwithstanding Lord Viscount Melville must have known from the transaction, that the money so advanced to him by the said Alexander Trotter, by which he was enabled to hold the said loyalty loan, was public money, he permitted the dividends accruing on the stock to be carried to his credit in his account current with the said Alexander Trotter till May 1800, when, by a paper signed with his own hand, he authorised Mark Sprott to dispose of the same, which was accordingly done, and the produce carried to the credit of Lord Viscount Melville, in his account with Messrs. Thomas Coutts and Company, his bankers.

3dly, Because it has been shewn in evidence, that there was an 1808-1809.

N

men, some of whom had been confined for years, and with whose fate that of their wives and children was immediately connected.

account between Lord Viscount Melville and Alexander Trotter, called their account current, which was opened within less than three months after the appointment of the said Alexander Trotter to the office of paymaster of the navy, in the month of January, 1786, and was not finally closed till the month of May, 1800, when Lord Viscount Melville left the navy pay office; that during that interval it had been frequently balanced and signed by both parties, and duplicates exchanged; that no interest was ever charged on either side in the said account current, of which the balance was generally against Lord Viscount Melville, to the amount of from 10,000*l.* to 20,000*l.* and when in favour of Lord Viscount Melville, it never exceeded from 2000*l.* to 3000*l.*: the large sums of money were advanced by the said Alexander Trotter to the said Lord Viscount Melville, and placed to his account; which sums were derived from the public money illegally drawn by the said Alexander Trotter from the Bank, on the pretence of navy services, and placed, by permission of Lord Viscount Melville, in the house of Mr. Trotter's private banker.

4thly, Because it has been shewn in evidence, that when the said Alexander Trotter was made paymaster of the navy in 1786, he was unable to make any advances of money to Lord Viscount Melville from his private fortune, which did not, at that time, exceed the sum of 1000*l.* or 2000*l.* and that, nevertheless, within three months after his nomination to the said office, he did advance 4000*l.* to Lord Viscount Melville, without interest, the pecuniary circumstances of the said Alexander Trotter being perfectly well known to the said Lord Viscount Melville.

And because it has been proved, that the attention of the said Lord Viscount Melville, to the transactions of the said Alexander Trotter with the public money, must have been forcibly excited by a conversation which took place with the said Alexander Trotter in 1789, wherein the said Alexander Trotter proposed to the

The new coalition cabinet was not of long duration. In consequence of the demise of Mr. Fox,

said Lord Viscount Melville, to lay out the public money for the purchase of India stock for his (Lord Viscount Melville's) own private interest and advantage; and although such proposal so made was rejected, he does not appear then, or at any subsequent period, to have made any inquiry into the amount of the public money in the hands of the said Alexander Trotter, nor into his manner of employing the same, but continued to accept loans of money, without interest, from said Alexander Trotter, and without ever inquiring from what source such money was derived.

5thly, Because it has been proved by the Commons, that the first item of the said account current consists of a sum of 4000*l.* advanced by the said Alexander Trotter to the said Lord Viscount Melville, out of the fund intrusted to the said Alexander Trotter for the payment of exchequer fees, for which sum of 4000*l.* it has been proved, that a bond was given, in which no engagement to pay interest was expected. That, on September 4, 1792, the sum of 8000*l.* was drawn by the said Alexander Trotter from the Bank, on the pretence of navy services, out of which sum 4057*l.* was so employed the same day in the purchase of 2000*l.* East India stock, for the use and benefit of the said Lord Viscount Melville, according to his express desire and request; that no interest was charged to Lord Viscount Melville for the purchase-money of the said East India stock, although, as has been proved, the dividends were carried to his credit, and the stock itself ultimately disposed of for his benefit in May, 1800.

6thly, Because it has been proved, that in the month of May, 1800, when Lord Viscount Melville quitted the navy pay office, he was under the necessity of raising the sum of 50,000*l.* or thereabouts, by the sale of divers parcels of stock, which had been purchased with the public money, and by the pledging of the salaries of public offices held by him, and persons nearly connected with him, in order to make good that part of his deficiency in his act of parliament account at the Bank, which was in his own hands, and had been used exclusively for his own profit and advantage.

who may be considered as its chief pillar, the whole fabric was shook to its foundation, and it did not long survive his fall. He died amidst the tears and the lamentations of the nation, but it perished almost without a single sigh being uttered on its account, for although much practical good appears to have been in store for the Scottish and Irish nations, yet nothing of any moment was ever achieved, or even promised the English. Although Lord Holland, and almost every member of the administration (Lord Grenville and his friends

7thly, Because, in defiance of the rule and order of office, of the obligation created by the said resolution and warrant, and of the positive provisions of the said act of parliament, it has been distinctly proved; nor was it in the course of the defence, or of the debates in this House, ever denied, that the total amount of money advanced by the said Alexander Trotter to the said Lord Viscount Melville, and employed by the said Lord Viscount Melville, without interst, on the chest account, and the account current, taken together, amounted

On Dec. 31, 1791, to L. 19,988		On Dec. 31, 1796, to L. 75,415	
1792,	26,476	1797,	53,640
1793,	27,025	1798,	54,140
1794,	21,758	1799,	54,140
1795,	30,316		

ROSSLYN.
AUGUSTUS FREDERICK.
CLINTON.
VASSAL HOLLAND.
LAUDERDALE.

SUFFOLK and BERKSHIRE.
OXFORD and MORTIMER.
DUNDAS.
ST. JOHN.
DE DUNSTANVILLE.

The Duke of Sussex, and Lords Dawnay, Lauderdale, St. John, Holland, and Oxford, also protested against the answers to the first and tenth charges.

excepted), had exclaimed against "the dungeons of penitentiary houses," yet no inquiry was made into the state of the Cold Bath Fields Prison, of which Mr. Aris was still allowed to continue governor. Not a single effort to discover, or to remedy the abuses asserted by themselves in both Houses, to have existed there, took place, and the inhabitants of the metropolis were now left to doubt, whether they had not either grossly exaggerated those malversations at one period, or scandalously betrayed their duty by suffering them to be continued at another, when they themselves possessed the means of investigation, redress, and punishment.

On the meeting of the new parliament, the *new* opposition appeared strong as to its numbers, but they were still more formidable in point of talents. When the Earl of Mansfield moved the address, June 26, 1807, the subject of this memoir rose in his place, after Lord Rolle had seconded it, in a speech of considerable length, and spoke as follows:

"Lord Holland said, he felt some difficulty upon the present occasion, not in answering the arguments of the noble lords on the other side; but after what he had heard, in doing it with that decorum which he owed to their lordships. If the arguments of the noble lord who had just sat down, were to be adopted as the rule of conduct in that house, then all freedom of debate was at an end, and their lordships would have nothing to do but to re-echo every speech which the ministers for the time being chose to put into the mouth of his majesty. Such doctrines were the most dangerous and unconstitutional he had ever heard. He objected also most strongly to the introduction of the king's name, and the king's opinions,

into a debate in that House, as they had been upon this occasion. A noble lord (Rolle) had talked of embittering the latter days of his majesty. Gracious God! my lords, is it to be endured, that debates in this House are to be thus attempted to be influenced; if these opinions are to prevail, there is an end of the liberties of the people. What may be the consequences? My noble friend (Lord Grenville) may, on this principle, say, with respect to the expedition to Constantinople and to Egypt, that it was the king's will, that it was the king's opinion that such an expedition should be sent. If such a principle is to be allowed, it is impossible to say where it can stop, until it has destroyed the privileges of this House, and of Parliament, and sapped and undermined the constitution itself. The noble lord has spoken of its being the practice of this House not to move amendments to addresses. During the seventeen years I have been in Parliament, it has been my misfortune (as probably the noble lord would call it) to be the greater part of that time in opposition; and, if my memory does not greatly deceive me, there are several more instances of amendments being moved to addresses than those quoted by the noble lord. But in what way, my lords, can this argument of the noble lord operate against the constitutional privilege of this House, to offer those sentiments to the throne which we conceive to be called for by our duty to our country? The noble lord, in speaking of dissolutions of Parliament, has only stated that which was obvious, namely, that it is the king's undoubted prerogative to dissolve the Parliament, and that his ministers are responsible for the exercise of that prerogative. The noble lord then went on to argue as to there being no preference between dissolving Parliaments at different periods of their existence; but will it be contended for a moment that there is no difference between dissolving a Parliament that has sat five years, and one which has sat only so many months. If the principle is good for any thing, it goes to this, that a Parliament ought not to be dissolved at all, but to be allowed to sit its full seven years; for the same arguments which the noble lord has applied against the dissolution resorted to by the late ministers when the Parliament sat four years, would apply to a Parliament that had sat six years, and are deci-

dedly against the dissolution of the last Parliament, which the noble lord had nevertheless defended. After hearing the defence set up by the noble lord for the late dissolution, I am surprised that when a noble Secretary of State (Lord Hawkesbury) so eloquently declaimed against the dissolution of the preceding Parliament, that the noble lord did not then rise to answer his arguments. The noble lord has, however, had recourse to a sort of *argumentum ad hominem*, in attacking the late dissolution resorted to by the last ministers, but his argument decidedly makes against the point he intended to prove. The noble lord states, that at the time of that dissolution there was no irritation of the public mind, no material difference of opinion. Why, then, was this not the moment for an appeal to the people? The noble lord then states, that at the time of the last dissolution there was great irritability and collision of opinion. Is it not then clear that that was a most improper period for a dissolution of Parliament, when, instead of a cool and dispassionate appeal to the people, it could only be an appeal to their inflamed prejudices and passions? But, my lords, is there no difference between dissolving Parliament in the recess, and in the midst of a session? The opinion of one of the greatest men whom this country boasts, (I mean Lord Somers) was, that to dissolve Parliament in the midst of a session, was, if not absolutely, at least, almost illegal, and I will not allow for a moment that a prorogation for a day, followed by a dissolution, can make the slightest difference. It is a mere evasion. The noble lord having used an *argumentum ad hominem*, I may also be allowed the same kind of argument, and I call upon the noble duke, at the head of his majesty's councils to take into his hand the speech now put into the mouth of his majesty, the speech delivered from the throne in the year 1784, and the amendment then moved in the House of Parliament by Mr. Burke, which had the entire concurrence of the noble duke. [The noble lord read an extract from the amendment.] If the noble duke can devote his attention to the subject, he will find those constitutional principles most ably and eloquently enforced in that amendment, which have now been so flagrantly violated. We were told in the speech put in the mouth

of the king on the prorogation of the last Parliament, that that was the most convenient time for putting a period to the business of Parliament. It is impossible for me to apply that expression to this assertion of the ministers which it deserves. The most convenient time ! when business of the utmost importance was interrupted, when there was no appropriation of the public money. And, my lords, I should wish to know whether the public money has not been in consequence illegally appropriated. My lords, these measures tend to make this House a cypher in the constitution. The great opulence which centres in this House contributes largely to the supplies, and the only hold we have upon them is the appropriation act. Supplies are not now raised as they formerly were; and the arguments which formerly justified resisting the supplies will not now justify them. Ministers have the supplies in their hands from the nature of the taxes; and if they can appropriate them too without coming to Parliament, what security have we that Parliaments will be assembled at all? My lords, these daily growing infringements of the constitution demand our most serious and earnest attention. I, who think the influence of the crown has increased, is increasing, and ought to be diminished, am a friend to frequent appeals to the people, but not by means of dissolutions. Let Parliaments, instead of septennial, be triennial, or I would not object to their being annual; let there be stated earlier periods for a recurrence to the sense of the people; but if Parliaments are to be threatened with dissolution—and I maintain that the entrance of that misguided monarch, Charles I. into the House of Commons, was not a more outrageous violation of the constitution, than the threat used by a right honourable secretary of state, in the late House of Commons; then Parliament becomes subjected to the will of the crown, as many would weigh in the balance a seat which they may instantly lose, and a seat for six years, which will necessarily have an undue influence upon votes. The only objection I have to the late House of Commons is, that they did not adopt those strong and energetic measures which such a threat imperiously called for. With respect to the events which have happened in the Mediterranean and in Egypt, those with whom I had the honour to act, as well as my-

self, are anxious that every inquiry should be instituted which can tend to elucidate the circumstances which led to those events; but, when I look at that part of the speech from the throne which refers to these events, I cannot help observing that the penman of this speech in his eagerness to censure the late ministers, has put into his majesty's mouth a strong condemnation of his majesty's government. I also find in the same speech a desire that union and harmony may prevail. This recommendation of ministers, under the circumstances in which it is made, brings to my recollection a story which is almost too ludicrous for this House, but which is so extremely applicable, that I cannot refrain from relating it. Two persons in another part of the United Kingdom having been at a fair, where less amusement had taken place than frequently prevails at fairs in that country, were displeased on their return that there had not been enough of *rowing*; after consulting together a little, one of them said to the other, I will tell you a sure way of having a *row*, let us go back to the fair and preach up *peace and good order*. The noble lord has denied that ministers have raised any cry of "no popery;" but, my lords, look at the address to the electors of Northampton; look also at those newspapers which are understood to be in the interest and to have the favour of government. My lords, in one of these papers it was observed immediately after the prorogation of Parliament, that it was hoped the cry of "no popery" which had issued from the throne, would be re-echoed in every quarter of the country. The noble lord has cast the cry upon the shoulders of the people; but the people in general have too much good sense to be duped by such a cry, and the ministers with all their efforts have failed in their experiment. Let me, however, pay that tribute to the right reverend prelates who sit in this House, to which they are entitled, for that firmness and moderation, which, amidst the cry to which I have alluded, have uniformly marked their conduct. There is another part in the speech, my lords, against which I protest, as most unconstitutional. We are told that the addresses to which my noble friend (Earl Fortescue) alluded, as addresses from chapters and corporations, we are told that these have expressed the sense of the people. Thus after an appeal to the

people, the new Parliament are to be told at the outset, we do not want you to express the sense of the people, it has been already expressed by chapters and corporations, and riotous meetings. My lords, I feel myself called upon by every motive of public duty to support this amendment. We have heard this night of systematic opposition; but if ministers come into power upon unconstitutional principles, it is childish and absurd to talk of any other opposition than that of an united body, firmly acting upon the principles of the constitution, and determined to resist by every constitutional means those who have no other title to power than faction and intrigue."

On the discussion of the Catholic petition, May 23, 1808,

"The noble lord did not think it necessary to enter into a discussion of the various polemical points which had been brought forward in the course of the debate. The question for Parliament to consider was, what was the state of Ireland, and what the remedy proper to be applied to it in the present exigency. If four millions of the people of Ireland were necessary to the safety of that country, if Ireland were necessary to the safety of the empire, this measure ought to be acceded to. With the danger of the present day he contended that no preceding period could fairly be compared. The reign of William III. which had been quoted, had no analogy whatever to it, and therefore the existence of the penal laws, at that or any other period that had been mentioned, present nothing in their justification at this moment. These penal laws were in his mind always odious, but peculiarly so at present, when all the pretexts for their original enactment ceased to exist. The noble lord vindicated the book of Dr. Milner against the misrepresentation of it which appeared in the speech of one of the reverend prelates; but he contended that whatever that book, or the book of any other individual, however high in talent and character, might contain that should be reprehensible, could not fairly be alledged as a ground of censure upon the whole sect of which that individual might be a member. The noble lord replied in a strain of the most impressive eloquence to the

assertion, that the peasantry of Ireland cared not a farthing about the object for which the higher orders of their persuasion were now seeking. What, he would ask, bound a man to the glory of his country? what made the lower orders rejoice in the honours and achievements of their generals and admirals? What made their hearts beat with exultation at the mere mention of such names as Nelson's? What, but the principle and feeling which must excite pleasure in the Irish peasant's breast, when informed of the advancement and distinction of one of his persuasion and way of thinking? As to the attempt made to identify the Revolution with the abominable code against the Catholics, he protested against the identity. He also protested against the Revolution, as being provoked by Catholicity, or by the peculiar partiality of James II. to that creed. No; it arose out of his perseverance in that dispensing power which his unfortunate father attempted to establish. But the main question to consider on this occasion was this; by whom had any of the riots or commotions, ascribed to the Catholics, been excited and directed? Certainly not by catholic generals, admirals, or senators, whatever concern the catholic populace might have in them. Therefore no precedent can be adduced from history to justify any apprehension of danger from such persons as this petition referred to. Indeed as to history, it would not be the interest of either sect to refer to it, as a great deal of excess might be shewn on both sides. To the assertion of the noble baron's (Hawkesbury), that the Catholics owed their exclusion to their own conduct in refusing to subscribe to the oaths of supremacy and abjuration, he would shortly reply, by referring to those oaths, and then he would ask any candid man, whether it was possible for any Catholic to swear such oaths—to subscribe to tests which absolutely proscribed his own faith—the proposition was mockery. The noble lord concluded with a commentary upon the principles and objects of those with whom the penal laws originated, and pronounced the conduct of the old whigs of the Revolution who sanctioned them as highly disgraceful."

Meanwhile, a new and important event had taken place on the continent. Bonaparte, who had

ruled Spain by means of the King and the Prince of Peace, with a degree of authority equally absolute as that with which he kept the conquered provinces in awe, obtained a surrender of the crown, and conferred a new sovereign in the person of his own brother. Those who had submitted without murmur to the despotic controul of their own monarchs, immediately revolted at the idea of foreign domination, and priests, and nobles, hitherto the blind instruments of the will of the Spanish monarchy, began to write, to talk, and to fight in behalf of liberty !

Lord Holland, who had resided in Spain, and was well acquainted with the history and language of the inhabitants, took every opportunity to praise a measure, which augured so favourably to this and to every other country. Accordingly, on the 21st of July, 1808, after the Duke of Norfolk had said a few words on this subject, he observed :

“ That he could not agree with his noble friend, that it was necessary to wait for the establishment of a regular government in Spain ; he thought it immaterial whether they established a republic or a monarchy, or called this or that family to the throne. It could not be supposed (it was added) that he could have confidence in the present ministers, or think that the management of a subject of such delicacy and importance was placed in proper hands, and there were circumstances in their conduct which could not but give him some degree of apprehension, as a considerable period had elapsed since the Revolution had taken place in Spain, and he had not yet heard of any assistance being sent to that country. The efforts of that nation were rendered highly interesting by the circumstances in which they were placed, by the cause in which they were embarked, and above all, by the consideration

that they were now struggling for liberty, and he thought that no time ought to have been lost in rendering them assistance. He thought, also, that it was not enough, to speak in general terms of assistance to be rendered to Spain, but it should be declared explicitly what were our objects, or rather, what were not our objects, namely, that we were not actuated by any selfish feeling, or by any little mercantile policy, though he did not mean to accuse ministers of this; that we should guarantee the integrity of the Spanish dominions in South America; that we should declare in a manly and decided manner our object to assist the Spanish nation in the true spirit of generosity and liberality, and that the promises of assistance should not remain enveloped in general terms, which had no precise meaning."

Having now taken a review of this nobleman's conduct as a legislator, we shall next consider him as an author.

Immediately after the late changes in the Cabinet took place, a pamphlet appeared, entitled, "An Inquiry into the State of the Nation, at the Commencement of the Present Administration," which has been generally attributed to the subject of this memoir. The discussion in question is arranged under three distinct heads, the first of which comprises our "foreign relations." This necessarily includes the history of the "third grand coalition," and it is stated that no evidence has been given on the part of our late minister, to procure the mediation of our allies, notwithstanding a specific assurance of this kind in May 1803, and a communication of a pacific nature from the French government, at the beginning of 1805.

The former Cabinet is accused of having forced

“ the Court of Vienna prematurely into a rupture with France.

After shewing that this Court was not eager for hostilities at that moment, the author, whoever he may be, continues as follows :

“ Such then was the unwillingness of Austria, and such the means employed to bring her into the late ruinous contest. And truly when we reflect on the exhausted state in which the last war had left her ; when we consider the loss of her ancient provinces, best situated for offensive operations, and the various difficulties which opposed themselves to any attempt at calling forth the resources of her new acquisitions ; when we survey her finances, involved in unexampled embarrassment, and her cumbrous administration, checking in every quarter the developement of her natural strength ; when, above all, we think of the universal dread of a new war, which prevailed through every rank of her people, dispirited by a recollection of the last, and impressed with a firm belief in the ascendant of France ; when, to all this, we oppose the signal advantages of her enemy in every particular ; a compact and powerful territory, impregnable to attack, and commanding its neighbours from the excellence of its offensive positions ; an army inured to war, and to constant victory ; an armed people intoxicated with natural vanity, and the recollection of unparalleled triumphs ; a government uniting the vigour of military despotism, with the energies of a new dynasty ; an administration, commanding in its service all the talents of the state ; finances, unburthened by the debts of old monarchies, and unfettered by the good faith of wiser rulers ; finally, a military expedition of vast magnitude, at the very moment prepared, and applicable to any destination which the change of circumstances might require—when we contrast these mighty resources with the remnant of her strength which Austria had to meet them, we shall marvel but little at her backwardness to seize the present juncture for beginning a war, which, if unprosperous, must be her last.

“ In a prudent delay she saw that every advantage might be

expected ;—an improvement of her domestic economy ; a gradual amelioration of her political constitution ; the correction of those evils in her military system, which had formerly proved fatal ; the change of conduct towards her frontier provinces, which the experience of last war prescribed ; the progress of her rich dominions, and numerous and various population in civility and wealth ; the confirmation and extension of her foreign alliances.

“ On the other hand, most of the enemy's advantages were likely to be impaired by delay ; many of them were peculiar to the present crisis ; almost all of them were of a temporary nature. The pursuits of commerce might temper his warlike and turbulent spirit ; the formidable energy of a new government might yield to the corruption which time never fails to engender ; and though kept quite pure, could not but relax during the interval of quiet ; the constitution was likely to become either more despotic and weaker for offensive measures, or more popular and less inclined to adopt them ; for a nation always becomes a wiser and better neighbour in proportion as its affairs are influenced by the voice of the community : the arts of peace must modify that system of military conscription which made every Frenchman a warrior : the remembrance of recent victories would gradually wear away, both in the army and the nation : allies might desert from better views of their interest ; dependent states might throw off the yoke, when they recovered from the panic that made them bend to it ; neutral powers might be roused to a just sense of their duty, when a successful resistance seemed practicable, and the re-establishment of the Austrian affairs furnished a centre round which to rally : the army destined to invade England would probably fail in the attempt, or at any rate might be occupied in making it : factions were more likely to disturb the vigour of the government when the continent was at peace ; nay, the chance was worth considering, which every delay gave, of some sinister accident befalling the chief, whose destinies involved those of France herself, and whose power had not yet received its last consolidation. Every thing then rendered a delay as hurtful to the enemy as it was desirable to Austria, and her allies.

“ If France had been called upon to chuse the juncture of her

affairs, at which a new continental league should be formed against her, not only with safety, but with eminent advantage to her interests, she would have chosen the year 1804; that the operations of this league, after it had once been formed, should be delayed till the latter part of the year, she could scarcely have dared to hope. If Austria had been desired to name the crisis at which her present necessities, as well as the prospects of bettering her condition, most clearly enjoined an adherence to peace, she must have been blind, indeed, not to fix upon the same period; and if she had shut her eyes to her most obvious interests, it would have been the best policy of her allies to undeceive her, and chiefly of England, who had no stay on the continent but Austria. But the blindness was ours; Austria was alive to her true interests, as she knew her real situation; and we unhappily prevailed upon her to seek certain ruin, by partaking of our infatuation."

But the imprudence of the minister did not stop here, for although the co-operation of Prussia was very desirable, and perhaps absolutely necessary, yet the war was entered upon, we are told, without waiting to ascertain, whether that country meant to join the allies, remain neutral, or take part with France!

"When we survey the whole machinery then, it is added, by which the grand coalition was to be moved and regulated, we discover nothing but weakness and confusion—a total want of strength in the materials; of skill in the arrangement of the parts; of harmony in their movements. England, the main spring of the union, is not suffered to communicate directly with Austria the great moving power; while the intercourse with such a petty member of the system as Sweden, is constant and intimate. Russia, calculated by nature to operate as a grand auxiliary to Austria, is first made the centre of the movement, and then the balance and director. The instruments of communication employed by England, are either distrusted by herself or by her allies, with whom

they are nevertheless stationed to the exclusion of fitter instruments and the increased derangement of the machine. But above all, though England furnishes the sinews of the war, and originates the whole operation, she is not allowed a single voice in directing or controlling it; she is excluded from all influence over the operation after it is once resolved upon; studiously repressed at all times, except when the wheels cannot move without her assistance, even then only permitted to interfere with her services, and compelled to abstain from advice."

After pointing out four capital errors in the arrangement of the continental war; the "consequences of our late foreign policy" are enumerated, and the whole closes with the "state of our foreign affairs, independent of the late coalition and its consequences."

Towards the conclusion it is considered as a folly "to persist in building upon the chance of an immediate resistance to the influence of France," while the vague indefinite fears of the enemies to peace, are ridiculed and condemned. It is observed with a prophetic spirit, for the assertion has been fully verified since the publication of the work in question, that Bonaparte "will go on conquering such of our allies as continue hostile, uniting with those whom he may intimidate or allure to share in the plunder of the rest; stretching his creation of kings over the north of Germany; aggrandizing those whom he has made in the South; extending his dominion in Italy over the islands, and from Italy striding onwards to the East.

"Jam tenet Italiam, tamen ultra pergere tendit actum inquit, nihil est."---JUVEN.

1808-1809.

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We join most devoutly in the concluding wish, "that whether we are to be blessed with peace, or compelled to prepare for new battles, the ministers will pursue those plans of moderate and salutary reform in the various branches of our national policy, without which no glory, no safety, not even the inheritance of a name, will remain to England."

There is another work lately published, and avowed by his Lordship, who has indeed prefixed his name to it. It is the *Life of a celebrated foreign Author*,* and proves that he has not been inattentive to Spanish literature, during his late residence on the continent. This is inscribed in a handsome dedication to Don Manuel Josef Quintana, a man of letters of the present day, and we shall here transcribe, by way of a specimen, the translation of an ode from the 5th Book of the "*Arcadia*."

"In the green season of my flowing years,
I lived, O love! a captive in thy chains;
Sang of delusive hopes and idle fears,
And wept thy follies in my wisest strains:
Sad sports of time, when under thy controul
So wild was grown my wish, so blind my soul.

"But from the yoke which once my courage tam'd,
I, undeceiv'd at length, have slipp'd my head,
And in that sun, whose rays my soul inflam'd,
What scraps I rescued, at my ease I spread.
So shall I altars to Indifference raise,
And chaunt, without alarm, returning Freedom's praise.

* "Some account of the Life and Writings of Lope Felix de Vega Carpio," 1 vol. 8vo.

“ So on their chains the ransom'd captives dwell ;
 So carols one, who, cured, relates his wound ;
 So slaves of masters, troops of battle tell,
 As I my cheerful liberty resound :
 Freed, sea and burning fire, from thy controul,
 Prison, wound, war, and tyrant of my soul.

“ Remain, then, faithless friend, thy arts to try
 On such as court alternate joy and pain ;
 For me, I dare her very eyes defy,
 I scorn the amorous snare, the pleasing chain,
 That held enthrall'd my cheated heart so long,
 And charm'd my erring soul, in answer of its wrong.”

Lord Holland is also the editor of the posthumous historical work relative to the early part of the reign of James II., written by his late uncle. The preface indeed, is entirely of his own composition.

We have thus taken a survey of the political and literary life of Lord Holland, whence it may be easily deduced, that he is a friend to the best interests of his country. With his uncle Mr. Fox, he opposed the origin of the present, and the whole of the former war, as unnecessary and improvident. He has also steadfastly set his face against every measure that appears founded on sinister objects, while he has let no opportunity slip to testify his approbation of a more generous mode of government, in respect to that portion of the empire lately united to us by means of a community of interests, as well as of legislature.

Like his old friend, the late Marquis of Lansdowne, with whom he lived for many years in

habits of intimacy, his Lordship has always exhibited a marked predilection in favour of popular rights, more especially a reform in Parliament. Young, ardent, eloquent, with a heart undebauched by long possession of power, and hands unstained with corruption, it is to be hoped that he will one day hold a dignified situation in the Cabinet of his country. He has already given hostages for his principles, and will not forget that he is looked up to by the people:

“ Tu Marcellus eris ! ”

In point of person, and even of dress, as well as address, he not a little resembles the late Mr. Fox. He is like his uncle too, addicted to agriculture, and farms all the land round Holland-house, Kensington.

Lady Holland is a very accomplished woman, and allowed to speak Italian in a superior style to any other Englishwoman now living. She was originally a Miss Vassal, the only daughter of the late — Vassal, Esq. of Golden-square, a gentleman who possessed a very large fortune in the West-Indies. Her ladyship had been married to the late Sir Godfrey Webster, Bart. in 1786, when only fifteen years of age, and as they lived unhappily together, a separation ensued. Lady H. was united to Lord Holland in July 1797, and has had two sons by that nobleman, one of whom only, Henry-Edward, survives.

SIR WILLIAM GRANT, KNT.

MASTER OF THE ROLLS.

THE laws of Scotland are essentially different from those of England. The attainment of justice is undoubtedly the aim and end of both, but the means are wonderfully dissimilar.* It was, and is still, owing perhaps to this disparity, that so few Scotchmen have been bred to the English bar; more especially as to those who addict themselves to the study of jurisprudence, Edinburgh (thanks to the

* The *procrastination* usually attendant on a suit before the Court of Session, has long become proverbial, and indeed we cannot pay any compliment to the celerity and dispatch of our own Chancery. The truth is, that the business of both is conducted according to the principles of the civil law, in consequence of which, instead of the parties coming before a judge, after a *little prefatory special pleading* to obtain a verdict, as in our municipal tribunals, a world of time elapses, and a great waste of paper takes place, before it is possible to become acquainted with the subject in contest, although, in Scotland, a large portion of the process is printed, and bound in volumes. Blackstone, who was a *Common Lawyer*, mentions, with great exultation in his *Commentaries*, a suit relative to a cow in North Britain which occupied a longer space in litigation than what was spent in the siege of Troy, and was at length ended by an appeal to the House of Peers.

We understand that it is but a short time since a nobleman, not unskilled in the jurisprudence of his native country, concluded a contest of ten years, the sole object of which was to oblige one of his stewards, or factors, to render an account of receipts and disbursements.

spirit of litigation, said to be engendered by a dereliction of the trial by jury!) presents nearly as rich a harvest as London. Almost every man of fortune, indeed, in North Britain, studies the civil law at an university, and then takes his degree as a member of the college of advocates: this has become, in some measure, necessary; for as suits are frequent, and much depends on the mere technical skill with which they are carried on, a certain degree of knowledge is absolutely requisite for the management of landed property.

Although the practice of the law, on the south side of the Tweed, may be considered as a short and certain road to the first honours and offices of the state, but five natives of North Britain have pursued this favourite path with equal ardour and success. The Earl of Mansfield was the first Caledonian who became Chief Justice of England; but the Woelsack and the Chancery Bench, those two grand professional prizes, were never obtained until the time of Mr. Wedderburne, who, by a singular train of good fortune, and a certain happy *flexibility* of talents, after occupying, in succession, the offices of Solicitor and Attorney-general, Chief Justice of the Common Pleas, and a Commissioner of the Great Seal, finally became Lord Chancellor, and was at the same time ennobled.

Mr. now Lord Erskine, having tried both the sea and land service in vain, fortunately fixed on the law, at the express recommendation of his mother, the late Countess of Buchan, and at the conclusion

of a long and fortunate career, without the intervention of any intermediate employment, except the office of chancellor to the Prince of Wales in 1806, beheld himself, *per saltum*, the first lay subject in the kingdom, after the Princes of the Blood Royal.

Two other instances remain on record ; the one in the person of the Right Honourable Sir Archibald Macdonald, Knt. now lord chief baron of the Exchequer, who, of noble descent himself, intermarried with a powerful English family. The other is the subject of the present memoir, and he, without family influence, or hymeneal connexion, has risen to a high and honourable station in the practice of English jurisprudence.

Sir William Grant is a native of the portion of Great Britain, if not best known by that appellation, at least most properly denominated *the Northern Highlands*. He was born on the banks of the Spey, at a place called Elchies, about the year 1754, or 1755. As Elgin, a neighbouring town, was then famous for its grammar school, he and his brother * were sent thither, and boarded at the house of Mr. John Irvine, nephew to a worthy and respectable clergyman at that place. Both Mr. Milne and Mr. Sheriff, in their turn, presided over the institution just alluded to, about that period, but neither of them lived long enough to witness the advancement of their pupil, who, however, has not

* This gentleman, who is younger than Sir William, was formerly collector of Martinico. Their father, who was originally bred to agricultural pursuits, died collector of the Isle of Man.

been unmindful of the seminary whence he derived the rudiments of his future knowledge. To his credit be it recorded, that a few years since, when the provost and magistrates, who are the *curators* of the schools, found it convenient, in consequence of the narrowness of their revenues, to rebuild the edifice, he was one of the first to step forward, and contribute to so laudable a plan.

After a short residence at Elgin, Mr. Grant repaired, we believe, to the King's College of Old Aberdeen, where he completed his education. He had now a profession, and it may also be added, without any circumlocution, a fortune to seek. But it so happened that an uncle, after a long residence in England, had obtained a considerable fortune by commercial pursuits. This gentleman, who soon after purchased the estate of Elchies, in the county of Moray, where he had been born, interposed on this occasion, and on his arrival in London, he was immediately entered of one of the inns of court.

It was a well known practice in former times, and which is but too little attended to at present, for gentlemen intended for the bar to commence their oratorical career at some celebrated debating society. It is in the recollection of several persons still alive, that Mr. Burke first addressed himself to an audience at the Robin Hood; and it is but a few years since Mr. Dallas, now Chief Justice of Chester, made his *debut* at Coach-makers' Hall, while Mr. Garrow, at present attorney general to the Prince of Wales, &c. at the same time opened at the

school of eloquence in the Haymarket. The subject of this memoir is said to have tried his strength at the King's Head, Newgate-street; and at length, after keeping a due number of terms, and eating his commons a due number of times, *more majorum*, Mr. Grant was called by the benchers to the degree of utter barrister.

The first time that he wore his wig and gown, we have been told, as a practitioner, was in the House of Peers, when retained as counsel on a Scotch appeal, and on this occasion observed confidentially to a friend, "that he was rather intimidated at appearing before so august an assembly." Even at this early period of his life, Mr. Grant afforded ample proofs of that acuteness and discrimination for which he has been since so celebrated, and is reported to have attracted some attention. But he remained unnoticed, in a *professional* point of view, amidst the crowd of candidates for legal practice and preferment. As his oratory was not of that cast, which so frequently proves attractive in *Nisi Prius* causes, and his manners were not specially calculated for cross-questioning and brow-beating an evidence, it is but little wonder that a young man, deficient in these essential qualifications in modern practice, should remain unemployed.

But a new scene soon opened to his view. During the contest with America, although our old colonies had shaken off their allegiance to the mother-country, the extensive province of Canada, which had been but recently conquered from France,

still remained firmly attached to the interests of Great Britain, notwithstanding all the temptations to revolt. Thither Mr. Grant now bent his steps, and arrived at the capital at that very critical period, when it was threatened with a siege by the celebrated General Montgomery.

This officer, assisted by Arnold, after a rapid march over an immense tract of country, arrived, during the winter, before the walls of Quebec, and commenced operations against that city. Many of the inhabitants betook themselves to flight, while most of those who remained were reduced to a state of consternation in consequence of such an unexpected event. But it was otherwise with the young barrister, who is reported to have assisted at the works, and to have handled a musket with as much intrepidity as a veteran. After the calm had been restored, and the enemy defeated, he betook himself to his original profession, and soon obtained considerable practice. In the course of a few years, indeed, he was appointed his Majesty's attorney general in that province, and appeared to be in a fair way to realise an ample fortune.

But this theatre either appeared too narrow for the exercise of his talents, or he himself longed to revisit the centre of the empire, and exchange the biting atmosphere of Canada, for the milder climate of Westminster. On his return, he is said to have attracted the attention of Thurlow, but he soon saw and felt the necessity of obtaining a seat in the House of Commons. He accordingly found means

to be returned for Shaftesbury; and after this, his preferment was rapid, for we find him soon obtaining a silk gown, as a King's council, to which was attached a patent of precedency, and although his practice was never extensive, yet this event could not fail to prove advantageous. In 1793 he became a serjeant at law; and about that time vacating his seat for Shaftesbury, he was chosen for the borough of New Windsor; in 1798, he was nominated chief justice of Chester, *vice* Serjeant Adair; in 1799, he succeeded Sir John Mitford, now Lord Redesdale, as solicitor general; and on May 30, 1801, in consequence of the promotion of Sir Pepper Arden, who afterwards became Lord Alvanley, to be chief of the Common Pleas, he was nominated master of the rolls.

The first time that his name occurs in the debates of Parliament, was at the period when Russia, after a successful war with the Ottoman Porte, seemed able, in a single campaign, to obtain possession of Constantinople, and plant the Greek cross on those battlements which had so long witnessed the triumph of the Turkish crescent. The Empress Catharine, whose bosom appears to have been devoured by the two passions of love and of ambition, at that critical moment wielded the destinies of the empire, and many politicians in England were alarmed, lest her gigantic schemes should endanger the much boasted balance of power, which happily at that period still prevailed in, and regulated the affairs of Europe. Mr. Pitt, in particular, interested himself in behalf of Turkey, and seemed to consider the acquisition of Oczakow,

by her Imperial Majesty, as an event extremely unfavourable to the general tranquillity.

After Mr. Windham, destined afterwards to become the colleague of the premier, had attacked his conduct in a long speech, during which he disclaimed all ideas of confidence, and called aloud for explanation, the member for Shaftesbury rose and spoke as follows:

“ Mr. William Grant,” says the reporter, “ exposed, with infinite talent, the absurdity of the legislative intruding itself into the executive branch of the government, and thereby destroying the very fundamental principles of the constitution. Should that House take upon itself to investigate the plans of government, from the moment they should approve of those plans, they took away all responsibility from ministers, who no longer executed their own (but the Parliament’s) measure. Thus, the public would lose that great guard over the conduct of the public officers.

“ He observed, that the resolution that had been moved, was exactly that sort of one that called for the previous question. It appeared to him, that the House had been led to expect some measure like that communicated by his Majesty’s message at the commencement of the session, when a larger number of seamen had been proposed, than was usual to be voted during a peace establishment.

“ At that time the right honourable gentleman (Mr. Fox) on the other side of the House, had taken notice of the circumstance, and said, he wished not to inquire into the particular reason; but if his Majesty’s ministers would state that there was any thing in the complexion of political affairs in Europe that made such augmentation necessary, he would give his consent to the proposition. The right honourable chancellor of the exchequer had answered that there was, and the other right honourable gentleman was satisfied.

“ The conduct of that gentleman on this occasion, Mr. Grant said, was both candid and constitutional: he had given the King’s servants his confidence at that time properly; and had not acted

like an honourable and learned friend of his (Mr. Amstruther) that day, who had desired to know the object, but not the means of the negotiation at present going on.

“ It was agreed, Mr. Grant said, on all hands, that it was the prerogative of the crown to make war and peace, and carry on negotiations. Why, therefore, was the necessary confidence to be denied to the executive government in the present, more than in any other instance : because it was admitted, that the measure in question was a negotiation ; and, whether an armed or an unarmed negotiation, he declared no person had disputed that it made any sort of difference. From the nature of the proceeding, a negotiation was managed by the Minister, because he could himself conduct it, and was responsible for the whole. To what effect, he asked, was a negotiation likely to be carried on, if it was to be managed by five hundred persons ? If that House took negotiations into their own hands, they might as well proclaim them in newspapers, since they must have all the different foreign ambassadors at their bar to examine them as to the points in treaty. Exclusive of this, Mr. Grant said, there were other objections of a strong nature. Popular assemblies were likely to be corrupted in negotiations.

The necessary consequences of negotiations in the hands of numerous bodies, from the popular assemblies of Athens to the Polish diet, ever had been, and ever would be, the publication of what ought to be secret ; intrigues, dissensions, cabals, and the interposition of foreign influence. As the functions of government were now exercised in all the political contests in Parliament, it was never once imagined that any foreign influence was felt : but, in the reign of Charles II. when the House of Commons, from a well-founded jealousy of the crown, interfered more than it ought to have done, in negotiations with foreign powers, foreign influence prevailed in proportion to the extent of the interference. Ought they then to take the power of negotiating from the crown, and give it to the people, when it was evidently for the advantage of the latter, that it should remain in the executive government, where the constitution had wisely placed it ?

“ The debate, Mr. Grant observed, had taken a new turn in

the hands of the right honourable gentleman (Mr. Windham) who spoke last. Every other person who had spoken in favour of the resolution, had complained that they were called on for supplies, without having any information whatever of the object for which they were wanted; but the right honourable gentleman, in the course of his speech, had turned round short, and declared, that they had all the information that it was in the power of the Minister ever to give. If so, upon what ground, he asked, was it necessary to deny the Minister that confidence, without which the negotiation could not be carried on with effect? With regard to confidence, Mr. Grant observed, that it was not personal confidence that was expected, or that sort of confidence which A gives B, but that confidence in the executive government, which the constitution, for wise purposes, had vested in ministers.

“An honourable baronet, who had spoken some time since, had said, the instant the country was put to any expence, the House was bound to enquire for what purpose; and he had given a sort of challenge to the House, and defied any gentleman to produce a single instance, where they had been called on for supplies without previous explanation. It so happened, Mr. Grant said, that he recollected a case precisely in point, and that was on the Journals, upon turning to which, in March 1717, it would be found that the King sent a message, stating to the House in the most general terms possible, that he was carrying on a negotiation, in order to preserve the balance of power in Europe, and calling upon the House for supplies to enable him to carry it on with effect. In that instance, without any information further, the House had voted supplies; but no person thought of withholding the necessary confidence from the servants of the Crown. Nay, the present Parliament, in the present session, had fully and fairly acknowledged the principle; how else was it to be understood, that, at the commencement of the year, they had voted an extraordinary number of seamen, but upon the confidence in the Minister, when, without descending into particulars, he pledged himself their services would most likely be wanting.

“Having furnished these precedents, Mr. Grant took notice that Mr. Windham had concluded a very eloquent speech with a declamation against the horrors of war, and then expressed his wish

for peace. He joined most heartily in deprecating such a calamity as war; but the right honourable gentleman seemed to have forgotten, that the armament had for its object the averting the evils of war, and the securing the permanency of peace.

“ Mr. Grant spoke of the necessity of preserving the balance of power in Europe, as the most efficacious means to produce lasting tranquillity. It was not likely that his Majesty's ministers were ignorant of the constitution, or that a family, but recently called to the throne, would attempt any thing contrary to the usual practice. On these grounds he argued, that the House might vote a supply without being particularly informed of the object: and, that the resolution moved, though true in some cases, could not be generally so, and therefore ought not to be adopted.”

A supply was accordingly voted, and the Minister triumphed for a moment; but the nation soon interposed, and effected what the Opposition was unable to achieve. It must indeed be fairly conceded by every liberal man, that the project of commencing hostilities with the Empress was highly impolitic, and that Oczakow, even if a war had been prudent, was an object unworthy of such a contest. The popularity of the premier now experienced an eclipse with the manufacturing and commercial part of the nation, and his enemies seized on this opportunity to produce a motion implying a direct censure on his conduct. On the other hand, his friends rallied around him, and the subject of this memoir was one of the foremost, according to the report of the debates of that day, to afford his support.

“ Mr. Grant,” we are told, “ rose, and entered on a very ingenious defence of administration. He managed his argument with great logical acuteness; and began with declaring, that he had not been able to collect, with sufficient precision, whether they were to disagree, or not, as to the first part of the resolution, which involved

in it no particular principles, and fell far short of the principles laid down and insisted on in the debates on the same subject last session.

“ They had then heard it asserted, that they had no right to interfere; that Russia was an independent power, and had a right to judge for herself, and act accordingly. The question then before the House did not turn on principles nearly so broad and general, but on very different ones; and, as it was worded, left a principle behind of material import for consideration, and which was an inference clearly resulting from the premises, though not stated. This inference must strike every gentleman, Mr. Grant said, as a fair part of the discussion, since its being admitted, or denied, must affect the issue of the discussion.

“ Having stated the inference, and shewn its bearing upon the question, the next consideration was the importance of Oczakow. As to the real value of Oczakow, he thought that the better way to estimate the worth of it to the contending parties would be, to reflect on the manner in which they had contended for it, for they must be allowed to know something of the matter. Upon that point gentlemen on the other side had argued, as if it was a place of no importance at all, or of every importance, and had seemed to hold that there was no distinction between the two extremes. Mr. Grant argued to shew that it was material to the just decision of the question, to consider Oczakow really according to its estimation; which was more likely to be found between the two extremes, than to be either the one or the other.

“ In order to ascertain this, he called the attention of the House to the first terms proposed by the Empress, as the ultimate conditions on which she would grant peace to the Porte; among the foremost of these was a proposition to convert the provinces of Bessarabia, Moldavia, and Wallachia, into an independent kingdom, to be put under the government of a Christian prince. He traced the progress of the negotiation from our interference to the period when the Empress offered to alter the conditions, and to lower her demands; and pointed out the facility with which Russia abandoned her first proposition, with regard to the formation of the provinces of Bessarabia, Moldavia, and Wallachia, into an independent king-

dom, but the steadiness with which the Empress insisted on keeping Oczakow, afforded, he said, a clear proof, that, however barren the district, or insignificant the place, she deemed it of great importance to her political views.

“ More depended, Mr. Grant said, on the care to avert distant danger than was generally imagined ; and it frequently happened, from not looking further than the present, the grounds of consequences, infinitely mischievous to the dearest interests of a state, were laid, as it were, imperceptibly at the moment. He instanced the alliance which Oliver Cromwell entered into with France, and which had since been considered by most politicians as extremely unwise and impolitic, although its consequences were not foreseen at the time it took place ; but it was in consequence of that alliance, that, many years after the wars began, which cost this country and all Europe so much blood, and so much money.

“ He alluded to the hostilities occasioned by the ambitious views of Lewis the Fourteenth. By the alliance Cromwell had entered into with France, he gave France a predominating balance in the scale of European powers, and sunk that of Spain below its proper degree. Having at that time overturned the balance, it cost immense armies, and immense sums, to set it right again, in the reigns of King William and Queen Anne.

“ As to the question of policy, he observed it could not always, in the affairs of state, be estimated by the actual value of the thing contended for, but by things to which it might lead. And, as another instance from what small, and apparently trifling and insignificant, places being suffered to remain in the hands of the successful power, great mischiefs subsequently ensued, he mentioned the history of Philip of Macedon, and the Athenians, and particularly his famous letter to them, in which he expressed his sentiments of justice and moderation, and in which he gave them assurances of his good disposition to the liberty of Greece ; but solicited some small towns, which the Athenians granted ; many of them saying they were so obscure, and of so little value to them, that they did not even know their names.—‘ True (said Demosthenes, afterwards) you did not know the names of these small towns, but they are keys to provinces, to which Philip will find his way, and endanger at last your liberty.’

“ Philip passed from town to town, and from province to province, until at last he had the dominion of all Greece. So in this case the Empress might profess moderation, and add fortress to fortress, until she became sole mistress of the Mediterranean, and of Egypt. It was evident, therefore, that it was not the obscurity of a town, and the want of its being known, that made a line of conduct less justifiable or politic, inasmuch as though a town might not be generally noticed, it might prove of much importance, as being the key of the kingdom concerned.

“ Mr. Grant from this inferred, that Oczakow, although apparently of trifling value at present, might prove of infinite importance in the use made of it hereafter by the Russians. In the consideration of this point, it appeared to him that there was reason in the measures adopted by the minister. It was a material thing, in his opinion, for the interest of this country, that Russia should not gain a maritime ascendancy. At the same time he could see distinctly, that, important as it might be, it was not worth a war, under the peculiar circumstances in which a war must have been carried on against Russia, while the people of this country divided in opinion on the subject.

“ With regard to the right honourable gentleman having put the country to the expence of an armament, purposely to keep Oczakow out of the hands of Russia, and nevertheless given it up, that was by no means a matter that might not be amply justified. Many points had been again and again given up by negotiators, not only after armaments had been set on foot, but after battles had been fought, and victories actually obtained. Instances might be quoted almost in every reign, and from every page of history wherein objects had been relinquished, that were deemed of great importance at first, and to obtain which great national expence had been incurred.

“ To refer only to the reign of Queen Elizabeth, that princess, in the reign of Henry II. of France, insisted on regaining Calais. She armed, went to war; but concluded her negotiation for peace without obtaining Calais. She next made terms with the Hugonots, and promised them protection, on their delivering up Havre, which she thought might help her to Calais. She afterwards abandoned them, when they made terms with the king of

France. Yet would any body say that the ministers of Elizabeth did not act wisely in attempting to recover Calais? They certainly did; but they abandoned it when they found the object more difficult to obtain than they had at first imagined it would prove. So it might be said with regard to our efforts to regain Oczakow : to a certain point it was proper to persist, but circumstances altered the case.

“ It had been said, however, by an honourable gentleman, if the minister thought his opinion right, and he was obliged to change it, he ought to have resigned his place. Mr. Grant argued, that, if the minister's opinion had been overruled in the cabinet, it would have been magnanimous to have resigned his office; undoubtedly it would : nay, it would not, perhaps, have been honourable, but the reverse, for him to have held it afterwards : but the case was surely different, where the minister did not yield to the superior and predominating opinion of any other minister, but to the opinions of the majority of the people of England, which, in so important a point as that of commencing a war, ought always to be attended to.

“ Mr. Grant defended the keeping up the armament after the minister had changed his opinion, observing, that, although the empress had declared three years ago, that, let her successes be what they would, she would not increase her demands; yet, as we then peremptorily refused to accede to those terms, we had no manner of right to claim them afterwards; but she might fairly say, ‘ No, they were terms I would have granted then : when I offered them, you would not accept them ; I am not bound to grant them now.’ He reasoned upon this at some length ; and, in answer to what gentlemen had thrown out in reproach of the minister for his fondness for armaments, said, he had never heard but of one armament that had been at all questioned, or found fault with, viz. the last. The Dutch armament had met with the express approbation of the other side of the House, and so had the Spanish armament.

“ With regard to the paper, purporting to be a * memorial

* This very curious paper was produced by Mr., now Earl Grey.

delivered from the Vizier to Sir Robert Ainslie, at Constantinople ; that paper, even if authentic, related to a mediation, but not to a negotiation, and was, however harsh and severe, no satire on the present ministers in particular, but might just as well apply to the gentlemen on the other side, who were in all probability as good christians as the members of the present administration.

“ Mr. Grant added many other pertinent and pointed observations ; and expressed a hope that the House would that night shew it was their opinion, that, under all the existing circumstances, ministers had acted rightly, and argued upon the necessity of giving a reasonable degree of confidence to the executive government ; admitting, at the same time, it was liable to some abuse ; but that the constitution, after wisely balancing the degree of good and evil, had chosen so to order it, as the least dangerous option of the two. He concluded a very long speech, with declaring, that he should vote against the motion, from a conviction that ministers had done the best they could under all the circumstances of the case.”

A new parliament having been convoked during the trial of Mr. Hastings, the lawyers in the House of Commons were greatly divided, in consequence of that event. Mr. Erskine, for the first time perhaps in his life, took the unpopular side of the question, and Mr. Hardinge, Sir John Scott, Sir Pepper Arden, and Sir Archibald Macdonald, supported him on that occasion. To these were opposed, Mr. Anstruther, Mr. Dundas, and Mr. Grant. The latter observed,

“ It was his decided opinion that the impeachment ought not to abate upon a dissolution of the Parliament, notwithstanding the display of such splendid talents and learning in support of the contrary opinion.

“ What was the law of impeachment ? It was the law of Parliament to be collected from precedents found in the Journals.

These precedents ought to be duly considered, as they really are, without any reference whatever to history or our own speculative reasoning. The law of Parliament, in contradiction to the ordinary law of the land, could mean nothing but certain arbitrary powers. In an impeachment the House acted upon two principles; the one was, that we were bound to conform to the precedents of the Lords; and the other principle was, that we acted in our judicial and not legislative capacity. He then commented upon the different precedents applicable to the point in question, and contended from them, from the civil law, and from reason, that an abatement of an impeachment did not obtain upon a dissolution of Parliament."

In 1791, when the merits of the "Quebec bill" were discussed in the House of Commons, Mr. Grant followed one of the ablest men in this country, and, in consequence of his local and professional knowledge, corrected several mistaken notions advanced by him on that occasion.

"He said, the right honourable gentleman (Mr. Fox) seemed to take it for granted, that the commercial laws of different countries were different, and that the commercial law of England was different from that of Canada. It was, however, extremely certain, that there existed no material difference in substance, however they might differ in appearance, from the commercial laws of other countries.

"All commercial laws related to contracts, either express or implied. The reasoning upon contracts was of the same sort in all countries, and he who reasoned best, respecting a contract, was generally accounted the best lawyer. If a decision had been given on a contract, in any of the courts of this country, different from a decision that had been given in a Spanish court, Mr. Grant declared he would be bold to say, that one of those decisions was wrong. In nine cases out of ten, the same decision would be given on the same case, in every civilized country. As to the

tenth case, some of the positive laws of the country might attach upon it, and make it an exception to the general rule.

The decision of a court in Canada, of an English court, or of any other court, ought to be the same on the same case. The custom of Paris had no more to do with commercial law, than the law of Gavel-kind had to do with the law of insurance, or any other part of the commercial law of England. The commercial law in this country, a few cases excepted, was not reduced to writing. In France, the fact was different. They had a collection which was called the *Code Marchand*, made in the reign of Louis XIV. and which was in great repute in that and other kingdoms. In the same reign, and under the same direction, a marine code was also compiled. To maintain that the commercial law of Canada materially differed from the commercial law of England, was a mistake.

" Merchants were not, he said, discouraged to trade to that country from the state of the law, but on account of the insolvency of debtors. He begged leave to correct a mistake on a subject of which he was enabled to speak from his local knowledge. The custom of Paris had no reference to the regulations of commerce, but of real property.

" The laws of all countries between debtor and creditor, gave the creditor some remedy or other, if the debtor was unwilling, but able, to pay ; but the difficulty was, when he was unable to pay, and had a variety of creditors who got into struggles and controversies with each other. In that case, Mr. Grant observed, the laws of different countries were exceedingly different ; the laws of some countries had made no rule whatever with regard to the disposition of the effects of insolvent debtors, but had left the creditors to have recourse to suits at law, and he who obtained the first execution, immediately seized on the effects of the debtor, and discharged his own debt to the exclusion, perhaps, of the claims of the other creditors. The laws of other countries had enacted, that when there was clear evidence that men would become bankrupts, their estates should be sequestrated, and equally divided among all the creditors. This was agreeable to the law of England.

“ There was, Mr. Grant said, a third set of laws, which gave a qualified distribution of the estate among the creditors, and that was the case in France. When men had given marks of insolvency they ranked the creditors into certain classes. They made one class of privileged debts, so that simple contract debtors might receive nothing till the other creditors were completely paid, as in the case of executors in this country, who paid the debts of the testator in a certain order of preference, and which many people had thought a very great hardship.

“ He did not know but that there might be a great uncertainty in the law of Canada, but all the cases with which English merchants had been dissatisfied, were the decisions of the French courts, and were in cases of insolvency alone. There always was a greater uncertainty, Mr. Grant said, in the laws of all colonies, than in those of the mother country ; for colonies had no other laws to go by than those of the country from which they had emigrated, and those laws, perhaps, were not adapted to the circumstances of the colony. The same complaint of uncertainty in the law, had taken place with regard to the laws of all the colonies ; Mr. Smith had made the same observation in his publication relative to the laws of New York, about thirty years ago ; and the Abbé Raynal had now made the same complaint. The law of France, Mr. Grant said, was undoubtedly the general law of Canada ; and some of the laws of Great Britain were introduced by ordinances. In the course of the appeals that came over to this country from Canada, a question had arisen some years ago, whether the Code Marchand of Louis XIV. was or was not in force. It was decided differently by the original court, and by the court of appeal, and at last it came over to this country. The difficulty attending appeals when they came to this country would equally apply to the laws of England. It could not be expected that men in this country could be perfect French lawyers ; and they frequently found themselves puzzled about the old constitution of the country.”

In 1800, when the opposition urged Mr. Addington, then minister, to peace, and even moved

for a committee on that subject, Mr. Grant, who by this time had obtained a high and honourable situation, to which the official appendage of knighthood has always been annexed, defended the conduct of the ministers, being of opinion, that while they possessed the confidence of the public and the sovereign, a reliance should be placed on their responsibility. He accordingly commented in an able manner, on the different objects which gentlemen appeared to have, in the proposition then submitted to the House.

“ Some wished for peace : others wished for a dismissal of ministers : others, again, wished that there should be a committee of vigilance, to watch the conduct of the executive government. He contended, that before they could act upon the latter principle, they must come to a resolution that the executive government was unworthy to be trusted.

“ If government shewed a disposition to treat in 1797, why was it to be inferred that they did not now possess the same desire ? but he considered the means as pointed out by this motion disgraceful in the extreme : it was telling our allies that we regarded their interests only while they were successful ; but that the moment they were unfortunate, we would negotiate without them, and leave them to their fate. However, even putting the worst case that could happen, that we should be obliged to contend against France alone, that case would not be new to us ; we had done it before, and we had found that our fortitude and courage were equal to the contest. Gentlemen, when they talked of the sufferings of this country, should recollect the sufferings and sacrifices made by France ; there it was that we ought to imitate her : they had exceeded any thing which we had felt : and if they had borne so much evil with fortitude in a bad cause, what ought we not to bear to support our's ? They had done wisely in that respect, and they were worthy of imitation.

“When gentlemen talked of the funds as a criterion of the wishes of the people, it was clear that they argued from a false criterion—what did they prove? They proved nothing more than that some men were so interested, that they preferred their private interest to the interest of the community.

“With respect to the general question, whether the conduct pursued towards France was wise and politic, that depended upon a view of all the events which had taken place. For his part, he declared, that he had never repented of the vote which he gave for the war; and the only regret which he felt was, that it was not sooner entered into; for, with respect to the aggression, there was sufficient grounds when France discovered what her principles were, and her designs against Europe.

“He had been asked what price we had been repaid for all that we had advanced? In his opinion the re-payment had been abundant—we had saved our constitution; and we had maintained the same state of civil society. Sometimes honourable gentlemen censured us for going on without alliances; at other times they represented alliances as so many burdens; so, do which you would, they hung you up on one of the horns of their dilemma. He thought they had shewn no practical good which could result from the motion; and, in his opinion, instead of accelerating peace, it would tend to delay it, and to fetter the hands of the government in the prosecution of that object.”

Sir William Grant cordially agreed in the grand measure of an union with Ireland, and used his utmost efforts to render it complete. We are sorry that it is not in our power to transcribe his speech on the principle of a system which is now universally allowed to be eminently calculated for the security of the whole empire. Here follows, however, an account of his observations in reply to some arguments adduced by the members in opposition, April 22, 1800.

“ The Solicitor General said, he had understood the argument of his learned friend* at first to imply, that the United Parliament, the vast majority of which will be composed of British representatives, having no connection with nor interest in the people of Ireland, may frequently be induced to impose taxes on the people of Ireland, which may be laid on improper articles, in order to give the English market a superiority in the purchase or sale of these articles. This interpretation of his argument he did not admit. But upon no other supposition is it possible that any fraud or injustice, which the learned gentleman seems most to apprehend, can exist. By the propositions it is agreed, that for every two pounds paid by the people of Ireland, fifteen are to be paid by this country. The consequence must be, that if there is no fraud in the selection of the articles on which the taxes imposed on Ireland are to be paid, they have a complete security that they shall never pay more than their relative quota of the public expenditure. There is every security granted to Ireland that we must pay in the proportion to them of seven and a half to one.

“ Improper taxes may be imposed upon them ; at least it is possible, though it is not probable, nor is it seemingly apprehended by the learned gentleman ; but they are always assured, that a ratio will be maintained between our contributions and theirs, a ratio which may be inferred to be equitable, because it has never been censured.

“ Besides, this partial imposition of taxes is perfectly consistent with the practice of Parliament. How often does it happen, that taxes are imposed which primarily only affect particular districts, and particular manufactures, which are often confined to particular districts, and which do not reach many other parts of the kingdom ? Thus when Ireland is incorporated by a legislative union with Great Britain, she will be in no other situation than Scotland, than Yorkshire, or Lancashire, or many other parts of the kingdom have often been placed in. In such case it might be said, that only the members of parliament for that district had any

* Dr. Laurence.

right to vote in the imposition of these taxes. But though the whole members for England and Wales and Scotland had voted upon it, complaints had seldom or ever been made of partiality or injustice.

“ He thought that the precedent urged by Sir William Young was quite in point, and that forty-five Scotch members voting on the imposition of taxes, which could not at all affect their constituents, was exactly the same with a hundred Irish members acting in a similar manner; and that the members for England and Wales voting on the imposition of taxes on Scotland, was precisely the same with their voting the imposition of taxes on Ireland. If then this had been the practice of Parliament since the union with Scotland, and it had not been productive of any evil consequence to either country, the same security was offered to the people of Ireland and of Great Britain in the present proposed union between these countries, the security of the integrity and justice of Parliaments, and of their superior regard to the general interests of their country, to what they may feel from individual or local connection and situation. No other security ever can be obtained by the people of Ireland, except by laying aside the idea of union altogether.

“ If we adopt the proposition of the learned gentleman, that the British members shall impose the taxes on the inhabitants of Great Britain, and the Irish members the taxes on the inhabitants of Ireland, what is to become of the Irish members on the day on which the British budget is to be opened, or of the British members when the Irish budget is opened? Are the doors of the House of Commons to be shut against its own allowed members? Is there to be also an Irish speaker?—for what right can the speaker of the British House of Commons have to preside and keep order among the Irish members, exclusively assembled, when no British members of the House can be admitted? The idea is repugnant to every sentiment connected with legislative union.”

At the period of the treaty of Amiens, Sir William had been some time in possession of a high and honourable office in the Court of Chancery, and when

the preliminary articles were brought into discussion, he expressed himself in the following manner.

“ The Master of the Rolls said, he rose to make a few observations on one or two of the points in discussion before the House. He should confine himself to these, as it was impossible to embrace the whole subject in any reasonable compass, and as particular arrangements had been very ably explained and defended by those who were concerned in framing them. To enter into details would be quite unnecessary, as, if the peace was unjustifiable upon the principles of the gentlemen who had opposed it, it was liable to objections which no consideration of its conditions could remove.

“ The right honourable gentleman who opened the debate, shewed much ingenuity in establishing positions which a great majority of the House would have no inclination to dispute. But,” continued the learned gentleman, “ I am utterly at a loss to see the connection between these opinions and the merits of the peace. Gentlemen seem to think they have done enough when they prove that the power of France is prodigious, and that the liberties of Europe are endangered. They point out the lamentable effects of this power; but do they shew that it is produced by the peace? Sir, it arises from the events of the war. Do I say that it was unwise in this country to engage in the war? By no means. Bad as the situation of Europe at present is, it would have been infinitely worse had we remained inactive. The peace has not taken from France this overgrown power; no peace could be hoped to make her resign it, and no war could have wrested it from her.

“ It will then be said, ‘ you were driven to make peace from necessity.’ In a certain sense we were. With a wise man what is prudent is necessary. When we could gain nothing by the war, there was a moral necessity that we should make peace, let our physical strength have been ever so great. If my right honourable friend will shew me how we can change what we all most sincerely lament, I will join my endeavours to his to urge exertion and perseverance. I will not ask from him a demonstration of success, nor even those high degrees of probability which approach it.

Let him shew any rational chance on which a sober headed man would act in common life, and I immediately close with him. But, Sir, he is surely bound to point means which, if skilfully employed, would be in some measure adequate to the purpose he recommends.

“ While we had allies, it was always possible that their successes might have put things in a more favourable situation. At the opening of every campaign there was a chance and a hope that the balance of Europe would be restored. We might still entertain this flattering prospect at the time of the rejection of Bonaparte's first overture. More favourable terms of peace might have been obtained then, but perhaps we would not have been justified in abandoning the chance of obtaining all that we wished. In such a state of things it was better to prefer war to such a peace as this, or perhaps even to entering on a negotiation.

“ It was possible that we might have obtained much more than any treaty could have given us. Be that as it may, there is no principle of any kind on which we can carry on war for the continent without a continental ally. We can assist in the deliverance of Europe, but we cannot achieve it.

“ Mr. Burke said it was impossible for us to make any impression upon France, except in conjunction with the community of Christendom. This position is too broad. All interests that are British we can assert, and assert with effect. With regard to others it is unquestionably true. We can calculate our efforts; we know that there can be no progression in them; after years of war we should not have advanced one step towards the emancipation of the subjugated states. What can we do unassisted for the independence of the Cisalpine Republic, or to prevent Spain from ceding Louisiana to France? It is not that these objects are not great, but that they are unattainable.

“ The noble lord (Lord Hawkesbury) after whose manly, eloquent, and unanswerable defence of the treaty, I ought to make an apology for at all offering my sentiments, urged the absurdity of continuing the war, to determine whether Bonaparte should have a direct or indirect influence over the Italian Republic, when we had consented to discontinue it for the purpose of wresting from

France the Netherlands and Holland. A right honourable gentleman (Mr. T. Grenville) replied, that it was unfair to take articles thus in detail, and that though not for any one, yet for altogether, we might be well justified in continuing the contest. I admit the justice of this reasoning, as receding step by step we might at last be obliged to give up some of our own colonies. He had severely censured the conduct of gentlemen on the other side of the House, who, assuming that the point on which the negotiation broke off was the only thing in dispute, asserted, that we were lavishing our blood and treasure for a spice island.

“A nation must draw a line in the spirit of moderation, and then firmly adhere to it. If the negotiation should afterwards break off, it will not be for any particular fort or island, but because no reasonable terms can be procured, and you fight to avoid dishonour. Thus has our government acted. Would it not sound odd if a man, who had a nuisance at his door, and refused to bear a share in the expence of a litigation to remove it, should take upon himself the whole expence of removing a nuisance at a greater distance from him, when all those in that neighbourhood remained indifferent spectators?

“It has been said, that though on account of late events, it might have been scarcely justifiable at once to break off the negotiation, yet that we ought to have insisted on a compensation for the new acquisitions of the enemy. Sir, I would ask, whether the retention of all the islands we have agreed to restore would form any balance to the continental power of France? They are not things at all of the same sort, and the danger would not have been in any degree diminished. France from her conquests gains direct strength—not through the medium of wealth. The West India islands produce weakness instead of strength. They do not increase our means of attacking the enemy, and they enfeeble, by dividing our means of defence.

“It was felt at Lisle that the West India islands could not be converted to this important purpose. In that case, even upon my principles, government would be blamable. If they were a counterbalance in our hands, it would be most criminal to resign them. But the absurdity is so apparent, that it has never occurred

to any one to reason in this strange manner. Sir, it was not material to retain a greater number of our conquests. If you had the power, you ought not to chuse to prevent France from having a large commerce to distant countries. This is the only hold we have upon her. Thus alone peace is her interest, and we are a terror to her.

“ I am really anxious to know, Sir, what plan of operations, had these gentlemen been in power, they meant to have pursued. As yet we have heard nothing of this kind even hinted at. We have been told of nothing more definite than ‘ *Chance of events.*’ Without any prospect of success, we should continue the war merely for the purpose of not being at peace. If this unknown event should not happen soon, we may be so much exhausted, as not to be able to take advantage of it. Suppose, Sir, that it should never happen. We are reduced to make peace at last on worse terms than the present, as with worse means we could not negotiate but with impaired effect.

“ There are some gentlemen opposite, who would say you have made peace wisely, because you have abandoned the object of the war. The object of the war has too often, Sir, been purposely confounded with the means of attaining that object. We wished to provide for our own safety from the immediate danger of French principles and French power, and to preserve, if possible, the balance of power on the continent, a matter in which our safety was materially though indirectly concerned. Can it be said that we have failed in the first? Sir, we are assembled here to-day, after a revolution which threatened our existence, and which has effected the destruction of almost all the surrounding nations, debating according to ancient forms, not concerning the losses we have sustained, not concerning ruined commerce, or curtailed dominions, but whether the additions to our territory are so great as from our splendid victories we were intitled to expect!

“ In the other object of saving Europe, we have certainly failed, but no disgrace can attach to the failure, as it is what, without the assistance of Europe, it would have been madness to have attempted. We cannot see these things without regret, but happily this regret

is not embittered by the thought that we have left any thing undone to prevent them.

“ However, the prospect is not on all sides equally gloomy ; at one time our fears of French power were absorbed in terror of the desolating effects of French principles. Mr. Burke observed, that it would be better to be conquered by any other nation, than to have the French as neighbours. (The right honourable and learned gentleman here quoted the well known passage, where Mr. Burke represents the French as having made a breach with the community of Europe, on purpose to make all mankind submit to their dominion, &c.)

“ It is some consolation, Sir, that France shews a disposition to re-enter the pale of civilized society. She is returning to order, to religion, and right principles, as fast as can be reasonably expected ; much has been done during the last two years and a half, and a greater progress still would probably have been made, had the career of war closed at an earlier period. I have heard it stated, that though Bonaparte was the foe of Jacobinism in France, he was its friend in England. If he shall extirpate Jacobinism in France, whatever his deserts in other things may be, here he will prove himself a benefactor of the human race. When the fatal source from which it originally flowed is dried up, it may be hoped that it will for ever disappear, and that the world will recover from its ravages.

“ Sir, I cannot believe that Bonaparte is animated with that implacable spirit towards this country. To pursue a rival with unceasing hatred and blind rage, often ends in self destruction. It is clearly his interest that Jacobinism should be every where crushed. If it flourishes in England, neither France nor any other country in Europe will be tranquil. The pride of Jacobinism (not the least distinguished feature in its character) would be interested above all to re-establish its throne in its original dominion. Bonaparte ought to wish with eagerness that it may be obliterated from the earth, and that its principles and modes of action may be forgotten for ever. While a vestige of it remains, his present government must be insecure, and any other government he may desire to establish.

"He was next to consider the value of Louisiana. From the observations of an honourable general, it was evidently useless, as a colony, and though it was in the possession of France for sixty years, he did not believe that during all that period they had gained, or we had lost, a fishing-smack the more. During the negotiations of 1761, when the country were in a situation to dictate terms of peace to France, Mr Pitt (not a man unacquainted with the interests of England; or apt to neglect them) never once proposed to her to evacuate this possession. The Americans were injured! How could we be blamed for this? We had not found fault with the same arrangements when America was our own. Although the treaty of Utrecht had been renewed, it would not have touched this case, either in its letter or spirit."

The Master of the Rolls, after a few more observations upon this subject, proceeded to shew the effect of the non-renewal of treaties.

"Upon this point," said he, "I have heard positions laid down which fill me with astonishment. Those right honourable gentlemen who profess to wish for an amicable arrangement, seem labouring to prevent it. Before they have any experience of the dispositions of France, they come forward and state claims she is likely to advance, which they themselves pronounce destitute of all foundation. They call for provisions, which by the same arguments might be proved completely nugatory. If the French are so ambitious, and so unprincipled as to disturb our established rights, in violation of all reason, common sense, and good faith, would not the treaty, about which they clamour, be a piece of waste paper. If more particular stipulations were immediately necessary, no treaty ought ever to be concluded. We should either have remained at war, or we should now shew the confidence becoming a state of peace. Confidence begets confidence, and the suspicion of bad intentions often creates them. If we really do harbour suspicions, it is much better to conceal them. We justly reproached the Directory with always asking us for our terms, and

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still accusing us of insincerity. Surely this harsh irritating language would not tend to render us more sincere.

“ I am not at all sure of the ground on which the practice rests of the renewal of ancient treaties. I would not treat lightly an usage which has prevailed long among great and enlightened nations. I am willing to suppose that there is some reason for it, which I have not penetration to discover. But I confess myself much at a loss, as in former times even these treaties contained contradictory stipulations, and often had no object on which they could operate. I am not astonished that what is commonly known by the treaty of Westphalia is always willingly renewed by France. This is nothing more than brushing off the dust from a monument to her glory. She then struck a medal representing the Grand Monarque with a pair of scales in his hand, and the imperial crown in one scale, and the crowns of the princes of Germany in the other. She has assumed ever since the right of trimming them, and certainly is furnished with a pretext for acting as arbiter of Germany.

“ From the language of these honourable gentlemen one would have supposed, that in no instance ancient treaties had not been renewed, and that the inevitable consequence of the omission must be throwing the whole world into confusion. The practice, however, has been by no means so uniform. At Breda, I believe, there was no renewal of former treaties ; at Ryswick, I believe, there was no renewal of former treaties ; at Utrecht, I believe, there was no renewal of former treaties. Yet, Sir, Europe subsisted, the law of nations kept its ground, and justice did not for ever take leave of the earth. The triple alliance of 1717 and the quadruple alliance of 1718 were two of the treaties generally renewed.

“ Upon what subjects can they now take effect ? In several we have guaranteed the Crown of France to the House of Bourbon : with what grace would we propose the renewal of these to the Republic one and indivisible ? You must at least have the mortification to confirm to France, directly and expressly, St. Domingo, Louisiana, and all her numberless acquisitions in Europe. This surely is not a thing you would go out of your way to do. You would renew treaties merely for the purpose of sanctioning the

breach of them ! This is surely not the best way to obtain an observance of solemn stipulation for the future. It may be said that some particular articles should have been extracted from the old treaties, and inserted in the treaty of Amiens. This may be very true, and the peace of Europe might thus have been better provided for ; but this is quite a different accusation, and when it is brought forward distinctly, we shall be ready to meet it.

“ Sir, it is not true that every treaty which is not renewed at the end of a war falls completely to the ground. Many treaties, when once executed, are *functi officio*, and it is no longer of consequence what becomes of them. When a cession is once made to me, it becomes part of my dominion, and is exactly the same as if it belonged to me from time immemorial. There is not the smallest difference between that and my other territories. If the State to whom it belonged goes to war with me, it may be attacked and re-conquered, but it does not revert back to that state upon the conclusion of peace. A King cannot say, ‘ I give you territory to-day, and to-morrow go to war and say it is mine again.’

“ To apply this to the point on which so much has been said, viz. our right to cut logwood in the bay of Honduras. We did not even derive that right from treaty, we had somehow or other been long in possession of it. The words used are, that ‘ Spain shall offer us no molestation,’ not that she grants or bestows. We occupied this district before the war—we occupy it still, and we have as good a right to it as to any part of the island of Jamaica.

“ The language of the right honourable gentleman and his friends, with regard to the East Indies, amazes most of all. They profess not to have the smallest shadow of a doubt concerning our rights, and being agreed among ourselves, we are debating whether we may not have a subject of debate. They allow that France must make application to us ; yet they say no, go you to France, and state that there are certain absurd claims which they, acting against all reason and good faith, might urge, and humbly implore that they would be graciously pleased to relinquish them. This is the most complete inversion of the natural mode of proceeding. Would they believe their claims to be so groundless

when you shewed such anxiety to get rid of them? Would they not demand some important sacrifice as the price of their acquiescence? But the definitive treaty simply stipulates for the restitution of the factories. If France were disposed to stretch the article as far as it would possibly go, the utmost she could demand would be the advantages she enjoyed under the convention of 1787. The most liberal meaning of factories must be as they were before the breaking out of the war.

"I have heard of many disputes whether restitutions were made in the same state as the places were in before the war. But in my reading I have never met with a question like this: whether France might not be allowed to mount up through the whole process of ages to see whether, at some infinitely remote period, these factories did not enjoy greater privileges. At this rate they are in a better situation than if they had never been conquered. Our success in taking them was to be deplored, and our possessions in India would have been more secure had they never come to our hands. But I suppose, Sir, these gentlemen only wish to throw discredit upon the pretensions which, without any reason, they suppose France may set up. According to this system of diplomacy, Sir, every treaty must be a violence. Nothing must be omitted which the most lively and the most absurd imagination can conceive to come into dispute between the two nations. A negotiator must carry along with him as one of his suite, a person with a disturbed mind, whose duty it will be to consider what claims the opposite party may possibly set up, however contrary to the letter and spirit of the treaty, and whose ravings must afterwards be reduced into a diplomatic form.

"Sir, the address moved by the noble Lord * has my most cordial concurrence. It seems to me to state the feelings and sentiments with which we ought to be animated. I trust that the principles on which we have acted on this memorable occasion will justify us to ourselves and to posterity. Let us pursue them, and while we express our loyalty at the return of peace, assure his Majesty that we will support him in his efforts to repress

* Hawkesbury.

all encroachments on our rights, commercial, maritime, and colonial. We shall thus preserve the blessings of tranquillity, or if we should be forced once more to draw the sword in defence of our independence and our honour, we shall shew the same spirit and magnanimity which has carried us through this long and awful struggle."

We shall close this account of the parliamentary life of the subject of these memoirs with the following defence of the war with Spain.

"The Master of the Rolls said, that the question now to consider was not what was or was not a legitimate cause of war, but what was the situation of this country with respect to Spain at the commencement of the war with France, or what had been the conduct of Spain towards this country since that period, and whether that conduct was such as to justify the course of proceeding which our government had adopted, and particularly whether it furnished a fair and politic ground for their engaging in direct hostility? The remote cause of the war, upon which the House was now called upon to decide, was the treaty of St. Ildefonso, and the proximate cause was the armaments which had taken place in the Spanish ports, as well as the refusal of the Spanish government to explain to us certain points respecting which we had a right to demand a full and satisfactory explanation.

"It was not denied, but on the contrary expressly admitted by the gentlemen on the other side, that the treaty of St. Ildefonso furnished an unquestionable ground of war, and how was that ground affected by any thing that had occurred since? To ascertain this it became necessary to inquire, first, whether that ground had been weakened or abandoned by any mark of approbation or acquiescence on our part in the terms of that treaty? Secondly, whether any agreement had taken place to suspend the exercise of our right to go to war, and what were the conditions of such agreement? Thirdly, if such agreement existed, whether its conditions had been violated; and, if so, what was the explanation required and received in consequence of such violation?

“That the treaty of St. Ildefonso was as unambiguous as words could express, an offensive treaty, he thought could not be questioned for a moment. In the history of diplomacy he never heard of any thing more explicitly binding both the contracting parties to an unconditional offensive co-operation. It was, in fact, much more decisive than the family compact—for, according to the 8th article, it precluded the party requiring the execution of the treaty from any right whatever, even to inquire as to the cause or object of the war, which called for the execution of this treaty. It therefore clearly formed a just cause of war.

“There was one thing, however, to which he particularly wished to direct the attention of the House, as it formed, with the detention of the Spanish frigates, the principal basis of the accusations against government. With respect to the nature of our connivance in the payment of the subsidy to France, it was clearly understood to rest upon the performance of certain conditions on the part of Spain; those were the cessation of all armaments in the Spanish ports, and the prohibition of the march of any French troops through the Spanish territory. In case of a strict conformity to these conditions, and also the prevention of the sale of prizes in the Spanish ports, the Spaniards were to enjoy the advantages of what he would call a suspension of hostilities, still bearing in mind, that we never gave up our original right of war, if those conditions should not be fulfilled.

“The different denominations given to the agreement were really of little consequence; M. Cevallos called it a treaty of neutrality, although Mr. Frere, in the letter of the 8th of February, proposing that agreement, described it as a proposition of forbearance. M. Cevallos, in his answer to that letter of the 27th of March, again termed it a convention of neutrality, but the name was immaterial, if the essence of the thing were observed. There was, however, some difference in the construction of this agreement, and upon that point the learned gentleman* who spoke last would insist, that the construction of the Spanish government

* Dr. Laurence.

ought to have been received, but this he denied. To us, from whom the proposition originated, belonged the right of defining it. If the Spanish government wished for a different arrangement, it was competent to them to propose it, but they could not alter the construction of that which we offered. Ours was a simple proposition of forbearance upon certain specified terms, but the Spanish ministry thought proper to term it a convention of neutrality. This term was, it was to be presumed, more grateful to them, and it would be captious to quarrel with them about words. We told them that we should consent to forbear, during a definite period for a definite purpose, to their advance of the subsidy alluded to, which purpose, if not answered, our forbearance must cease.

“The Master of the Rolls then entered into an elaborate detail of all the proceedings between the two governments, and concluded with a justification of the conduct of ministers.”

Since that period he has opposed the impeachment of Lord Melville, with whom he has long lived in habits of intimacy, and who, if we are not greatly misinformed, was his early friend and patron.

Sir William Grant has not risen by any sudden impulse of favour, but in consequence of a gradual accession of power. He has now run through the long career of Barrister, King's Counsel, Solicitor-general, Chief Justice of Chester, and finally Master of the Rolls. If his ambition had pointed that way, he might undoubtedly have become first in the court, where at present he is only second; but having no family, he has chosen to decline the honour of the Chancery bench.

Sir William, who is unmarried, lives like his predecessors, at the house occupied by the Master of

the Rolls, since the time of Sir Joseph Jekyll. He also possesses a residence at Beldorney, in Bamfshire, which county he has represented for some years in parliament, and which is the only shire in Scotland that, since the late change of ministry, had spirit enough to assemble under the auspices of James, Earl of Fife, the Lord-lieutenant, and pass a vote in favour of a trial by jury, the ancient constitutional mode for the attainment of justice in the northern, as well as the southern portion of the empire.

CHIEF JUSTICE JAY.

THE bounds of the ancient world were comparatively narrow and confined. All not known was considered as almost uninhabitable; all that had not attained a considerable degree of polish, was reckoned unworthy of being visited.* Certain con-

* We recollect, with a certain degree of wonder, a passage in a celebrated historian, purporting, that a Roman grandee having heard the herring or pilchard was of a superior flavor on the western shores of Britain, proceeded thither for the sole purpose of making the trial. His nets were accordingly spread on the coast of Cornwall, and the first draught having afforded him ample opportunity to try the experiment, by the test of his own Apician palate, he soon satisfied himself that the report was erroneous. On this, instead of visiting a new people, to contemplate their manners and customs, he ordered that his galley should bear away for the Mediterranean, and regain the classic banks of the Tiber, without so much as condescending to land.

centric circles, by degrees, were formed around two countries, each of which in its turn began to be considered as the germ, or rather the nucleus of civilisation. Accordingly, in that happy portion of the earth, where the arts and sciences flourished, and elegance, united with comfort, prevailed, the manners, the studies, the pursuits, the luxuries, and the genius of the inhabitants, augured a superior race of men. All that was not Greek was then deemed barbarian!

It was exactly the same, at a latter period, in respect to another great people. Every thing within the limits of the republic began by degrees to be considered, and perhaps really was better than elsewhere. The allied cities and states were spoken of with a certain degree of decorum, but wherever their angry eagles flew, whether against Pyrrhus with his gold and his elephants, or the half-naked savages of Britain with their chariots armed with scythes, and their coin composed of iron rings, scorn and contempt awaited the bare mention of their respective countries. Every thing that was not Roman was at that period also, stamped as barbarian!

In modern times, a wider range has been given to civilisation, and more liberal sentiments seem generally to prevail. Whatever can refine or adorn the human mind, is perhaps still enjoyed in Europe, in a higher degree, and with a superior relish. But even if the dreams of Louis XIV. and the threats of Napoleon his successor, were to be fully realised,

and (horrid to contemplate!) that favoured portion of the earth were to fall under the dominion of one nation, and that nation be ruled by the iron rod of a single despot, still, even in such a deplorable case, all would not be consigned to Cimmerian darkness, as Britain, while in search of commerce, has not been wholly inattentive to science; for she has diffused light amidst the followers of Bramah and Mahomet in one hemisphere, and planted a great and a free nation in another, the inhabitants of which, glorying in their native woods and lakes, and fastnesses, at 3000 miles distance from the common enemy, would still uphold that cause in which they have already bled and conquered.

The interests of the mother country, and her ancient colonies, are now once more happily the same: they ought, therefore, to be animated with one common spirit, and we readily insert the lives of her celebrated citizens, among such of the subjects of the British empire, as may seem to lay claim to our notice and observation.

John Jay,* late chief justice of the United States, is one, and almost the only one, among the men of eminence in that country, whose origin is not English. His family was French: his emigrant ancestor having crossed the Atlantic among the

* This article was drawn up by a gentleman who enjoys some celebrity both in Europe and America. ED.

protestant exiles driven away by Louis XIV. during a period of age and imbecility, on the revocation of the edict of Nantz. He, with a number of others, set sail from Rochelle, and arrived at New York about the time that this colony was ceded to Great Britain by the Dutch. These persons purchased a tract of new lands, about twenty miles to the east of the city ; on which they settled, and called the place New Rochelle. Here they retained their language and customs for a long time ; but their religion being the same with that of their English neighbours, and belonging all to the same political society, they amalgamated by degrees, so that for these two generations past they have become identically the same people, their families being traced only by their names.

Mr. Jay was born in that little town about the year 1734. He received the best education that New York could afford at that time, and having been bred to the law, was in full practice at the head of his profession, when the dispute between the colonies and the mother country called him into public life in the year 1775.

He was deputed to the first Congress, and continued by re-election for several years, until, in 1777, he was elected president. To this post he was again named the following year, and when Spain had joined France in the war on the side of the revolted provinces, Mr. Jay was sent as minister plenipotentiary to the court of Madrid.

In this station we believe he continued, till he

with Franklin, then ambassador at Paris, and John Adams, plenipotentiary in Holland, were named joint commissioners to treat of peace with Great Britain, whenever that power should be disposed to listen to terms.

These three ministers accordingly took their station in Paris, and continued there till they signed the general pacification, which guaranteed the independence of their native country in 1783.

Few of the promoters of liberty in the United States have ranked higher than Mr. Jay, ever since he came into public life; and none, except the presidents under the new constitution, have held more exalted stations. As soon as he returned to America, after signing the treaty, the place of minister for foreign affairs became vacant, by the resignation of Chancellor Livingston; and Mr. Jay was named to that office. This he held until the present constitution of the United States was framed and organized in the year 1789.

By that well-known declaration of the will of a sovereign people, the legislative, executive, and judiciary departments were separated from each other, and rendered as independent as the nature of government will admit. George Washington was elected President of the United States, with power "*by and with the advice and consent of the senate,*" to appoint all officers to the executive and judiciary functions. Mr. Jay was, on this occasion, named chief justice, which place he filled with great dignity and general satisfaction, till the year

1794, when Mr. Washington sent him as envoy-extraordinary to the court of London.*

* It may be desirable, at the present period, to state the complaints urged by Mr. Jay, in a memorial addressed to Lord Grenville, July 30, 1794. It is to be wished that the existing differences could be as easily adjusted.

1. That a great number of American vessels had been irregularly captured, and improperly condemned, by certain of his Britannic Majesty's officers and judges.

2. That in various instances, the parties aggrieved were deprived of the benefit of appeal, and in others, of the power of claiming their property.

3. That as the vessels and property, taken and condemned, had been sold and divided, the United States can alone look to his Majesty for reparation.

4. That as the expences and delays attending litigated suits are so grievous, and the distance of Britain from America so great, a new, more summary, and less expensive method of proceeding has become necessary.

5. That it may be equally expedient, necessary, and just, to revise and correct the sentences of the courts of Vice-admiralty.

6. That the irregularities before-mentioned, extend not only to the capture and condemnation of American vessels and property, as well as unusual personal severities, but even to the imprisonment of American citizens, to serve on board of armed vessels.

Signed J. J.

On November 19, 1794, a "Treaty of Amity, Commerce, and Navigation," between his Majesty and the United States of America, was signed by Lord Grenville, Secretary of State for Foreign Affairs, on the one part, and the Honourable John Jay, Envoy-Extraordinary from the above States, on the other. Soon after this, Mr. Jay returned to America, and as the President (General Washington) had been blamed for employing a chief justice on a diplomatic mission, the accusation was in some degree obviated by a speedy resignation on the part of that magistrate.

On his return to his native country in 1795, he resigned his place as chief justice, and was soon after elected governor of the state of New York, which place he held by re-election during six years, when he expressed a wish not to be re-chosen, and declared his intention never to occupy any other public station, which resolution he has since adhered to.

His health is now infirm ; he has taken a religious turn of mind, and it is said is writing something on the Prophecies. His wife (who has been some time dead) was a remarkably sensible, well-educated, and amiable woman, daughter of the late governor William Livingston of New Jersey.

MR. GEORGE DEMPSTER.

THE people of Scotland possess a character peculiar to themselves. This arises out of the nature of their government; the peculiarity of their laws, and the genius of their social institutions. No nation of Europe can exhibit a greater simplicity of manners, so great a portion of austerity in respect to religion, or such excellent, numerous, and economical institutions, for the education of youth.

Until lately, the connexion between the landlord and tenant, particularly in the highlands, was not mercenary, but patriarchal; and there is still something peculiar in the habits, manners, and notions of those who inhabit those alpine regions. Be-

tween that portion of the kingdom and the other, which is still denominated the low lands, a line of demarcation, both moral and physical, appears to have been drawn. On the one side was science, fertility, and cultivation; on the other (we mean to be understood generally) ignorance, poverty, sterility, a barbarous dialect, and a dress romantic in its appearance, but wholly unfitted for the climate. Thus, neither approximation nor one common system of jurisprudence could produce unity.

To make a nation happy, property ought to be secure, and justice both expeditious and certain: but this was in some measure precluded by the adoption of the Imperial code; and although, according to Lord Kaimes, and indeed by the concurring testimony of all respectable authorities, the trial by jury, in civil cases, formed a part of the ancient municipal institutions, yet it had been suffered to sink into disuse, and was only adverted to occasionally in the barbarous phraseology of the lawyers.* If to this it be added, that the discretion of the Lord Advocate, an officer nominated and dismissed at pleasure by the executive power, stood in the place of a grand jury, that the magistrates of the inferior tribunals,† were usually appointed by the influence of the leading noblemen in the counties where they exercised their functions, and that the supreme tri-

* It is usually mentioned under the obscure term of "a competition of brieves."

† The sheriffs depute and substitute.

bunal, in virtue of what it was pleased to designate the *nobile officium*, claimed a kind of concurrent jurisdiction with the legislature, and even arrogated in some instances a superiority, an Englishman will be filled with wonder and astonishment that such a system could have survived the union.

It is but recently too, that the feudal system has spent its rage, and subsided into an appearance of order. Until of late, also, there were but two classes of men, the rich and the poor, a middle order being still wanting. This, however, has in some measure been introduced within the memory of many men now living, by commerce, manufactures, and an improved system of agriculture.

These peculiarities, superadded to the genius of the ancient government, gave a certain cast to the inhabitants of the northern portion of the island. Correct in point of morals, excelling in all the various branches of education and literature, addicted alike to the sciences and the belles lettres, in full possession of all the elegant accomplishments which adorn life, they were still destitute of that liberty which makes existence desirable. Accustomed to fight for upwards of a century, to secure the pretensions of a particular family, they cared but little about the attainment of their own rights; and even anterior to the union, when they possessed a separate parliament, the Commons, by sitting in the same house with the Peers, were overawed so as to be rendered incapable of either the assumption, or the exercise of their own peculiar privileges.

Many of their great men were fully conscious of this, and we find Buchanan, another name for science itself, in his celebrated political treatise,* written about the middle of the sixteenth century, maintaining principles worthy of the purest days of Greece and of Rome. Fletcher of Saltoun also, is a character celebrated for enthusiasm in behalf of liberty; and it would be unjust to omit the name of Lord Belhaven, a man who soared above the prejudices of his order, and instead of being instigated by the feudal spirit of the ancient barons, evinced a noble ardor in the cause of freedom and his country. These prefatory ideas, we trust, will not be considered as misplaced here, when we are about to give an account of a man, who may be fairly considered as the Andrew Marvel of Scotland.

George Dempster, the subject of the present narrative, was born in the town of Dundee,† about

* “*De jure regni apud Scotos.*” We learn with pleasure that the memory of this great man has been recently vindicated from the aspersions thrown on it, merely to serve party purposes.

† Mr. Dempster, of Dunnichen, according to Dr. Small, in his *Statistical Account of Dundee*, is a “native citizen.”

Dundee has been fortunate in her children. Provost George Yeaman, of Murie, represented this town in the last Scottish Parliament, and also in the first and second Parliaments of Great Britain. He was of great service to his countrymen, by the successful resistance made on his part to two measures that would have proved ruinous.

1. The taxing of hides by tale, which would have been highly 1808-1809.

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the year 1735 or 1736. His grandfather, who had been a merchant in that place, realised a large fortune, at a period when money was scarce ; but commerce was then confined to a few, and the profits were proportionably large. His father, we understand, was also engaged in the same pursuit, and embarked very largely in the corn trade, which was for many years considered, in some measure, as odious in Scotland, until Adam Smith proved, in his "Wealth of Nations," that instead of impoverishing, it tends greatly to enrich a country, by the encouragement held out to the farmers, while it produces plenty at the same time, by the certain increase of the commodity.

Young Mr. Dempster, as he was then called, received his education at the grammar-school of the place of his nativity. Dundee, like the other royal boroughs, possesses excellent institutions of this kind, at which the children of the poor, in common with the sons of the most honourable and opulent families, are brought up for a mere trifle. These schools are under the immediate patronage and censorship of the provost and magistrates, who, as-

prejudicial, in a country where they were of a diminutive size ; and 2dly. of laying an impost on the measure of barley, as that article was comparatively inferior in point of quality. He also lessened the price, by abating the duty on coals, having procured a clause, by which the Tay was included within the bounds of the Forth.

The memory of this patriot citizen is still held in veneration by his townsmen.

sisted by the clergy as assessors, superintend, and regulate them, generally with the most laudable zeal, as well as with the most commendable discretion. Mr. R. Middleton, the father of Lord Barham, was at that period collector of the port of Dundee; and, if we mistake not greatly, this nobleman himself was brought up at the same school, if not in the very same class, with the subject of this memoir, until he was called away to his professional pursuits, as a naval officer.

From a small town which had not as yet distinguished itself* by manufactures, Mr. Dempster, at the proper age, was sent to the University of Edinburgh, a city which, on account of its antiquity, its size, and the consideration of having been the capital of an independent kingdom, is always surveyed by a young Scotchman, with a certain degree of veneration. After attending the various classes, the choice of a profession became a subject of consideration; but as no man of fortune is bred in North Britain to the church, and as the army and navy were not deemed eligible for an eldest son, the law was necessarily pitched upon, as the future destination of the subject of this memoir. Accordingly, after studying the principles of the civil code, and perusing Craig and all the feudal writers, he was admitted a member of the College of Advocates. This occurred in the year 1755, about a twelvemonth after the reception of his friend, con-

* Its chief manufacture consists of thread and linen yarn.

temporary, and countryman, Alexander Wedderburne, who, happily resigning his hopes, and his gown in disgust, repaired to England with a slender purse, but a mind burning with ambition ; and, after being twice Lord Chancellor, concluded his career with an earl's coronet.

Mr. Dempster, like him also, obtained and relinquished a gown ; like him, he tried his strength before the lords of session, and at length, like him too, directing his face towards the south, took his departure for England. But their stay, as well as their conduct, and fate, were different ; for the one completely emigrated never to return, while the other, like a bird of passage, took his flight during the winter only, and with the opening spring, rapidly repaired to revisit his friends and estate, in the county of Forfar.

Mr. Dempster, while at Edinburgh, associated with all the men of letters, and frequented all the noted societies of that day. We know not whether he appertained to the institution known by the appellation of the *Poker Club*, founded by the celebrated Dr. Adam Ferguson, which met at a house called the *Diversorium*, in the vicinity of the Netherbow. The sole object of the members was conviviality, and claret being then sold at eighteen pence *per bottle*, we believe the chief, if not only beverage, was Bourdeaux. Hume the Historian, Principal Robertson, John Home the author of *Douglas*, Carlyle, &c. were among its members.

It was succeeded in 1756 by the *Select Society*,

which was intended, not only for philosophical enquiry, but for the improvement of the company in public speaking: Allan Ramsay, the painter, son of the author of the "Gentle Shepherd," was the founder. In addition to the names already mentioned, may be here added those of Lord Kames, Alexander Wedderburne, Andrew Stuart, and Sir Gilbert Elliot, the father of the present Lord Minto.

In 1759, the members amounted to one hundred and thirty, and included not only all the distinguished *literati* of Edinburgh, and its neighbourhood, but also several of the nobility and gentry.

The elder Munro, Sir Alexander Dick, Mr. Wedderburne, Mr. Andrew Pringle, afterwards a lord of session, Lord Kames, Lord Elibank, and Mr. Walter Stewart, an advocate, were the chief speakers: Charles Townshend, afterwards Chancellor of the Exchequer, once made an harangue; but David Hume and Adam Smith, never opened their lips. Lord Monboddo, Lord Elibank, and Mr. Wilkie, author of the "Epigoniad," as well as Messrs. John and James Adams, William Tytler, author of a "Vindication of Mary," and now a lord of session, Lord Gardenstone, John Clerke of Eldin, the composer of an excellent work on Naval Tactics, Andrew Stewart, author of Letters to Lord Mansfield, &c. were constant attendants.

In 1761, this celebrated society undertook the Herculean task of annihilating the* Scottish lan-

* See Wilkie's Life of Hume, p. 93.

guage, or rather of refining it, in such a manner, from the vernacular idiom, as to become English both in purity and pronounciation.

"What gave rise to this chimerical project," says Ritchie, "was the important incident of old Sheridan's arrival at Edinburgh, who had made the tour of Great Britain, as an itinerant lecturer on elocution. This gentleman announced his appearance in the Scottish capital, and his plan of instruction in his usual style of arrogance, vanity, and self-conceit; indeed the lofty notion he entertained of the vast importance of the art which he professed to teach, and his own exclusive abilities for teaching it, appear in every page of his flimsy publications.

"Mr. Sheridan's lectures continued for four weeks; and such was the rage for speaking with an English accent, that more than three hundred gentlemen, among whom were the most eminent in the country for rank and learning, attended him. Availing himself of this kind reception, he gave notice, that he proposed to publish his lectures on elocution, with several tracts relative to that subject, in one volume, 4to. Most of the gentlemen subscribed for copies; and a similar project for improving the education of females, was welcomed by them with a similar subscription. The long interval which elapsed between Sheridan's receiving the subscription money and the publication of his book, exposed him to a paper warfare in the public journals.

"These lectures were delivered in St. Paul's chapel; and during their continuance, the church was crowded with ladies and gentlemen, most of whom began to affect a nicety of pronounciation in their ordinary discourse. Even the grave academic gave way to the prevailing fashion of the day; and Dr. Robertson was so much enamoured with it, that he sported on all occasions his progress in speaking English, and to the day of his death, persevered in the practice of enunciating his words with the most pointed correctness."

Mr. Dempster, was one of the most active promoters of this new branch of improvement, and laboured

in conjunction with all those who were accounted either wise or learned, to introduce the *new language*. Indeed, the whole body of the **SELECT SOCIETY**, to which he was no contemptible acquisition, contributed warmly to the advancement of this plan; and he was nominated one of the sixteen directors of “the Society for promoting the Reading and Speaking of the English Language in Scotland.”*

* LIST OF ORDINARY AND EXTRAORDINARY DIRECTORS.

Ordinary Directors.

1. Lord Auchinleck, a lord of session.
2. Lord Alenmoor, a lord of session.
3. Sir Adam Ferguson, Bart.
4. Mr. Walter Stewart.
5. Mr. William Johnston, afterwards Sir William Pulteney, Bart.
6. Mr. James Ferguson, **TERTIUS**, A.M.
7. Mr. George Dempster.
8. Mr. Alexander Tait, clerk of session.
9. Rev. Dr. Hugh Blair, afterwards professor of rhetoric in the University of Edinburgh.
10. Rev. Dr. John Jardine.
11. Rev. Dr. William Robertson, afterwards principal of the University of Edinburgh.
12. Dr. John Hope.
13. Professor Adam Ferguson, author of several celebrated works.
14. Mr. John Fordyce, merchant.
15. Mr. John Adam, architect.
16. Mr. James Russel, surgeon.

} Three
advocates.

Extraordinary Directors.

17. Earl of Errol.
18. Earl of Eglinton.

This *epidemic*, however, was not of long continuance, for it abated to the full as quickly as it had originated, and the vernacular tongue of North Britain, together with an unmusical *drawl* peculiar to that portion of it, still continues to be spoken with all its *original purity*, both in respect to language and accent, in "auld Reekie, or the gude town of Edinbro."

It has already been hinted, that Mr. Dempster did not long practise at the Scottish bar; indeed, after advocating a few causes, in which he displayed talents that might have proved highly beneficial to himself, and useful to his clients, by cultivation, he declined the honours of the wig and gown, and instead of remaining a lawyer, aspired to become a legislator.

By the provisions of the act of union, the district of boroughs with which he and his family were more immediately connected, consisted of one city and four corporate towns: viz. St. Andrew's, Dundee, Forfar, Perth, and Cupar. He became a candidate for these in the 12th Parliament of Great Bri-

19. Earl of Galloway.

20. Earl of Elgin.

21. Lord Elibank.

22. Lord Kames, a lord of session, and author of several celebrated works.

23. Sir Alexander Dick;

24. Mr. James Ferguson, advocate and dean of faculty.

25. Mr. George Drummond, commissioner of excise; and

26. Mr. Charles Hamilton Gordon, advocate.

tain, which met November 25, 1762; and after a long and expensive struggle, which is said to have cost 10,000*l.* he was at length returned.*

On the convocation of the succeeding House of Commons, which met May 10, 1768, his old friend and brother advocate, the late Sir William Pulteney, Bart. (then William Pulteney, Esq.) having been chosen both for this district and the county of Cromarty, made his election for the latter. On this a new writ was issued, and Mr. Dempster re-chosen then, as well as during three successive parliaments; in short, for a term of twenty-eight years, within which space he appears neither to have asked nor accepted of any place, office, or pension from the crown, with the exception of the situation of secretary to the order of the thistle in 1765, which does not seem in the least to have influenced his conduct, at any one period of his life.

This appointment, which is generally estimated, and we believe overrated, at 500*l.* per annum, was granted during the administration of the late Mar-

* Dr. Johnson has observed, "that a native of North Britain must be a sturdy moralist, who has not a greater predilection to Scotland, than to truth." Notwithstanding this, the writer of the present article will fairly confess, that some of the Scottish boroughs are to the full as venal as many of the English, and that on a particular occasion, one of the candidates having kissed the wife of a deacon with guineas in his mouth, the husband, who happened to be a weaver, is reported to have been so well pleased, that he exclaimed, "pray kiss my daughter too, Sir!"

quis of Rockingham. With this statesman Mr. Dempster had constantly acted, and still continued to act, as the ideas by which that nobleman conducted himself, were strictly constitutional, and being founded on the principles of the *Old Whigs* (those of 1688), had the hearty assent of all who were, or pretended to be, friends of liberty.

At the conclusion of the American war, the subject of this memoir saw the necessity of closing the wounds of the nation, after a long, disgraceful, and disastrous conflict. He accordingly, in a long and able speech on the state of the nation, maintained, that it was equally becoming in kingdoms and individuals, after an improvident expenditure, to seek relief in a sage economy. He indeed pointed out a variety of expedients for restoring the exhausted finances of the empire, and above all, he called the attention of the nation to the state of the British fisheries, as a certain resource for riches on one hand, and the best possible nursery for our seamen on the other. He at the same time dwelt on the necessity of reducing our naval, military, and civil establishments. He was eager for the appropriation of one million per annum to the reduction of the national debt; he recommended at the same time a review of our revenue laws, as well as the adoption of a code less burdensome to commerce, by a melioration of the existing system of fiscal regulations.

Notwithstanding the phlegm with which every thing that had the national prosperity for its basis,

was then viewed, he prevailed in respect to one point, and actually obtained the nomination of a committee to take into consideration the state of the fisheries, and as a member of it, he also pointed out the propriety of encouraging the inhabitants in the vicinity of the sea, to become fishermen.

It being his opinion that the north-west coast of the kingdom abounded most with fish and fine harbours, but was naked, unpeopled, and destitute of towns, a society, which shall be mentioned hereafter, was actually formed, for buying land and building villages. In fine, this benignant plan was calculated to call forth the energies of the inhabitants; to stop the progress of emigration; to give a naval direction to the genius of the people; and to open new sources of commercial prosperity.

During the discussions on the famous East India bill, the member for Dumfries delivered his opinion more than once, and on the 27th of November, 1783, after stating the importance of the question, hoped that it would be deliberately discussed, and wisely decided.

“ With regard to the violation of charters, he thought all chartered rights should be held inviolable, those derived from one charter only excepted—the charter of the East India Company.* That was the single charter which ought in his mind to be destroyed for the sake of the country, for the sake of India, and for the sake of humanity.

* Mr. Dempster has been one of the Directors, and succeeded on the ballot in opposition to the *House list*.

“ He complimented Lord John Cavendish on his wish, declared more than once ‘ that every European was driven out of India, and that we only enjoyed the commerce of this part of Asia in the same manner we enjoyed that of China.’ He for his own part lamented, that the navigation to India had ever been discovered, and he now conjured ministers to abandon all ideas of sovereignty in that quarter of the world ; for it would be much wiser to make some one of the native princes king of the country, and to leave India to itself. He however saw which way the House was inclined, and therefore should withdraw, as he would not vote against his principles for the throne of Delhi.”

In 1785, we find him supporting the motion to amend the “ Grenville Act.” He painted in glowing colours the situation of gentlemen anterior to the original bill, “ for at that degenerate period, no candidate, whether he had the majority of votes or not was sure of his seat, unless he would condescend to truckle to the minister, and sacrifice his principles at the shrine of power.” Nearly at the same time he made a sturdy but ineffectual opposition to an act for imposing a fresh tax on printed linens, a branch of manufacture in which his constituents were deeply interested.

In the question respecting the Regency, during the illness of his Majesty, Mr. Dempster appears to have opposed the plan sketched out by Mr. Pitt, the minister of that day. He was accordingly one of those who voted for the previous question as moved by Lord Guilford, December 16, 1788, which was lost, the Chancellor of the Exchequer having a majority of sixty-four on the division, Three days after this, on a motion being made “ that the report be now brought up,”

Mr. Dempster " begged leave to propose an amendment to the second* resolution, which would rescue the House from the greatest solecism he had ever witnessed. The Revolution was no precedent in point for the present proceeding. Our king was not likely to be expelled the throne, because he was a king beloved by his subjects, but he was a man, and consequently subject to all the calamities and infirmities of human nature.

" We had at this time a Prince of Wales, the heir apparent to the throne, of full age. Why then should we have a king made up like nothing that ever was conceived before, an un-whig, untory-like, odd, awkward, anomalous monster !

" He declared that he stood up as an independent man, connected with neither party ; the amendment he had to propose was an amendment of his own, without consultation, and without connivance ; he did not even know whether his amendment would be seconded ; but such as it was he would move it, that he might at least endeavour to preserve the constitution from what appeared to him to be dangerous.

" His amendment, was to leave out the word ' right,' because the best way of declaring their right was not to express it by a word, but by the exercise of it ; and with that view he should further move to leave out the words ' in such a manner as the exigency of the case may appear to require,' and insert, ' by presenting an address to the Prince of Wales, heir apparent and of full age, humbly beseeching him to take upon himself the administration of the civil and military government of the country during the incapacity of his majesty, and no longer.' "

Mr. Courtenay having seconded the motion, a

* " That it is the RIGHT and duty of the Lords Spiritual and Temporal, and Commons of Great Britain now assembled, and lawfully, fully, and freely representing all the estates of the people in this realm, to provide the means of supplying the defect of the personal exercise of the royal authority, arising from his majesty's said indisposition, in such a manner as the exigency of the case may appear to require."

debate ensued, which was prorogued to the succeeding day, and after all the great speakers on both sides had delivered their opinions, the question was at length put, when there appeared :

Ayes for the original motion	-	251
Noes	-	178

So that Mr. Dempster's amendment was lost by a majority of 73.

In the summer of 1790, this gentleman, after having sat during five following Parliaments for the same district, withdrew, and was succeeded by Captain George Murray, of the royal navy, uncle to the Duke of Athol. During his public career, as a member of the House of Commons, he was always heard with singular attention. This did not proceed from his delivery, although easy and fluent, or from his person and address, although the one was handsome, and the other both popular and seductive ; but from the uprightness of his character, which impressed full conviction on all who heard him, that his conduct was regulated both by his heart and understanding, without any personal or paltry consideration whatsoever. No man could pretend to any influence over his opinions ; no party ever affected to depend on his vote ; so that while his speeches fully illustrated the connexion between eloquence and virtue, his decisions were always regulated in strict subordination to his conscience.

The conduct of the ex-member for Dundee, during retirement, did not belie the tenor of his parliamentary life. He did not withdraw for the purpose of inglorious ease, or the enjoyment of uninterrupted luxury, but in order to obtain nobler and better purposes, for when he deemed himself no longer likely to benefit the public by his parliamentary career, he determined still to act the part of a good, a virtuous, and a zealous citizen.

Accordingly, on his return, he began to exhibit, by a practical example on his own estate, what might be achieved in the country at large. Nor were his improvements on a small scale, or his labours of an undignified kind, as he commenced by the enclosure of the farms around the paternal mansion, the draining of a lake, and the building of a village! These do not appear to be the labours of a private gentleman, but rather resemble the efforts of some northern prince, than the owner of the barony of Dunnichen.

It has already been shewn that Mr. Dempster as a private citizen, has always been eager to embark in every scheme that might either promote or add to the prosperity of his native country. He was accordingly, as we hinted before, one of the first to engage in a society for extending the fisheries of Scotland, which for ages afforded an ample harvest to Dutch skill and industry, but had always languished in the hands of the natives, although they possessed all the advantages resulting from immediate vicinity, and parliamentary encouragement.

He was of course elected one of the directors of this institution, and in that capacity both in 1788 and 1789, he pronounced a discourse to the members, which has been since published, "containing a summary of the proceedings for extending the fisheries, and improving the sea-coasts of Great Britain," together with "some thoughts on the present emigrations from the Highlands."

He commences with noticing a pamphlet,* pointing out a series of improvements on a great scale, and laments that neither the funds, nor the operations of a joint stock company, would allow them to extend their ideas so far.

"Were any of the great proprietors of extensive tracts of lands, now waste and uncultivated," says he, "to embark heartily in such a plan of meliorating his estate, and to devote his time and capital solely to this object, I doubt not but in the course of a single generation, he might derive great benefit to himself, and lay the foundation of immense wealth for his posterity; and in truth, Lord Gardenstone, the Duke of Argyle, in the Isle of Mull, Mr. Campbell, of Shawfield, in Isla, and Captain Macleod, in Herries, have been most laudably engaged in plans for improving those islands, not unlike that here suggested. It is also well known, that the late Earl of Findlater, in the course of twenty or thirty

* "Some Reflections intended to Promote the Success of the Society for Extending the Fisheries, and improving the Sea-coasts of Great Britain, by John Gray, Esq.

years, introduced good agriculture and extensive manufactures into a part of the kingdom where neither were known before, and that the consequences have been, a vast improvement of the value of his estate, and of the condition of its inhabitants." The Herculean labours of the present Earl of Fife ought not to have been here forgotten by the very intelligent orator, as he has effected more towards the improvement of the north of Scotland, in the three counties of Aberdeen, Bamff, and Moray, than any man of his day.

In order to prove that the Highlands of Scotland are capable of better cultivation, and to demonstrate the fallacy of the position "that the times of breeding men are now over, that men must give way to a more profitable species of production (sheep and black cattle!) and that formerly a chieftain wanted soldiers, but now money;" Mr. Dempster enters into several curious details. In the first place he observes, that no where in Scotland do potatoes grow better than in the Highlands, and that land may be cultivated to advantage for pasture and hay in climates too cold to yield much corn, as in Iceland, where corn is seldom sown, and hardly ever ripens, the farms being divided into two parts, viz. cultivated and natural grass. The "leaking showers" which fall during the months of May, June, and July, also render the Highlands admirably adapted for the cultivation of flax.

We shall see in the following passage, that Mr. Dempster, like a true rhetorician, seems determined

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to deduce probable advantages from manifest defects.

"I have, for argument's sake," says he, "admitted of the truth of the objection drawn from the coldness of the climate; though some things might be stated which go far to contradict the fact itself. The gardens of the inhabitants of Dunkeld extend nearly to the summit of a very high hill; and so do those of Fort William, where the aspect is to the bleak north-east. In the year 1786, there were more apples and pears in the few gardens of Lochabar, than grew on the same number of trees that season in Worcestershire or Herefordshire. At Fort William green peas are ripe, as I have been told, almost as early as at Edinburgh.

"On the first day of August, in the year 1787, the barley harvest of Icolumbkill was begun; and about the middle of that month, the corn fields round the town of Stornway, in the isle of Lewis, were far advanced towards maturity. Good potatoes are met with in the counties of Inverness and Sutherland, early in the month of August. It is equally certain, that hedgerows and plantations, of which the Highlands are utterly destitute, add much to the warmth and earliness of other countries.

"Snow seldom lies for any length of time in the Hebrides, or Western Highlands; and, indeed, it is generally allowed, that the temperature of the whole island of Great Britain is much milder than any continental situation in the same latitude. I acknowledge," adds he, "that the continual moisture and heavy rains in the Western Highlands, are discouraging circumstances to strangers accustomed to a better climate; but this only increases the importance and value of the native inhabitants, from the difficulty with which they would be replaced."

Immediately after this, he glances at the degraded state of the Scottish elections, and laments, that a certain middle class called *tacksmen*, are about to be extirpated:

"Were the political constitution of Scotland like that of England," says he, "and did a freehold or life estate of forty shillings

a year give a right for voting for members of parliament to represent our counties, I have no doubt but these tacksmen, in the character of freeholders, would render themselves as useful to the great proprietors in peaceful times, as they formerly were in times of turbulence and war; and that the same security and protection would be the consequence of their services. But our county elections being too aristocratical to admit of this species of political utility, and great internal tranquillity prevailing in the Highlands, the ancient bond of union between him and the proprietor or chief is in a great measure dissolved. His pretensions, therefore, too frequently give way to those of the south country shepherds; and he has often the mortification of seeing his and his ancestor's mansion, levelled to the ground, or converted into a sheep cot."

Mr. Dempster having shewn that the object of a society associated for the purpose of improving the fisheries, is immediately connected with the excitement of a spirit of industry among the inhabitants at large, proceeds to state, that since the 25th of March, 1788, the Court of Directors had executed the necessary deeds for obtaining the perpetual property of Tobermory, in the island of Mull, and Ulapole, in Loch Broom.

"The extent of the property acquired at Tobermory from his Grace the Duke of Argyle, for the payment of a mere quit-rent, and from Mr. Campbell of Knock, is not less than two thousand English acres. A copious stream of water runs through the middle of it; and hard by is a river capable of turning machinery of any kind. The situation of the new town is on a dry and healthy spot, with a southern exposure overlooking the harbour, and sheltered from the north wind by a sloping hill, rising gently behind the town."

Part of this tract of country was soon after let

out on building leases; a common store-house has been erected; a shop and dwelling-house for a blacksmith have been built; plans for a custom-house were prepared by Mr. Mylne, architect of London; a harbour, quays, &c. &c. were projected, and the groundwork of a town sketched out.

Ullapool being always considered as one of the first stations in Great Britain for the herring fishery, much was expected from it; but unfortunately the summer and autumn fisheries failed entirely in Loch Broom; yet this disappointment was amply compensated by a winter fishery some miles to the northward, where the herrings were in sufficient plenty to have supplied the markets not only of Europe, but the West Indies. The proprietors having also acquired the property of an island called Restol, very near to some "cod banks," great hopes were entertained of rendering that fishery also productive.

"The society have lately acquired," adds he, "a very valuable property called Stein, in Lock Bay, and Lock Folliart in the isle of Sky; we have experienced the utmost liberality of treatment from Mr. Bannatyre Macleod, Mr. Brodie, and Mr. David Scott, the Attornies of General Macleod of Macleod, acting in the true spirit of that gallant officer himself, who is now on service in India, and of whose estate Stein composed one farm. A thousand Scotch acres of land, whereof one hundred and thirty are in actual culture, have been given to the society at a quit-rent of sixteen pounds *per annum*. Its exposure is to the south. There are lime-stone and free-stone quarries near the spot, and a sufficient supply of peat for fuel for the inhabitants. The isle of Sky well deserves the name of *Fair*, bestowed upon it by the ingenious Dr. Anderson, being in point of fertility and extent next

to Great Britain and Ireland, the finest island belonging to his Majesty in Europe.

“Nothing is herein said,” adds the patriotic director, “as to the roads of communication between the eastern and the western coasts of the Highlands; yet upon these the success of our undertaking in a great measure depends. The efforts of individuals are inadequate to the expence of such a work. Mountainous countries have been made pervious by government, in all mountainous regions. The Alps and Pyrenees owe their roads to the Kings of France, Spain, and Sardinia. It is by the government of Great Britain that the roads through half the Highlands have been already made. Most people indeed, in this country, imagine that roads have been made through every part of the Highlands. It is not to be doubted, when once it is known, that the western parts of Inverness-shire, Ross-shire, Sutherland, and Caithness, are still utterly inaccessible to carriages, and almost to horsemen, that the government will adopt some system for the gradual making of roads through those countries. This object would soon be accomplished by the addition of a very small sum to the money yearly expended in maintaining the roads already made.

“The nation must never forget, that to the writings and journeys of Mr. Pennant, Dr. Anderson, and Mr. Knox, it is indebted for much information respecting our northern seas. They also enlarged upon the bold and original idea of improving our fisheries and sea-coasts, by founding new towns near to the seas where fish are most abundant, which idea was first started by Mr. Gray, in “Reflections on the Domestic Policy proper to be observed on the Conclusion of a Peace, published in 1761.”

This is a mere outline of the project of putting a stop to emigration, by building towns, by erecting quays and wharfs, and by establishing cod and her-ring fisheries.

We find by an account annexed, that between the 1st of January, 1787, and the 25th of March, 1789, the sum of 4,594*l.* was issued; that in the

province of Bengal almost five thousand pounds had been subscribed to the capital of the company under the auspices of Lord Cornwallis, while another large sum was obtained at Madras through the active patronage of Sir Archibald Campbell. In fine, the total expected to be raised by the voluntary subscription of public spirited individuals, was estimated at one hundred and fifty thousand pounds, and so feasible was the speculation, that the Court of Denmark adopted the very same plan for the improvement of Iceland!

It is painful, after this to be obliged to confess, that a scheme so fraught with good and noble purposes should fail, and come to nothing. It is with no small mortification, therefore, we are obliged to add, that what with the intervention of a new and eminently disastrous war, added to the disadvantage necessarily arising out of a joint stock company, the zeal of individuals began to cool with their hopes, and a general disappointment ensued, which cast a gloom over the prospects of the north, which has not been equalled since the failure of the Darien expedition.

But this was not the only mortification he was doomed to experience, for he had embarked in a scheme with his brother, Captain John Dempster, who had realised a considerable fortune as the commander of a ship in the service of the English East India Company, which we believe, in consequence of the war, and the pressure of the times, has not been attended with that success which it justly me-

ited. Acting on the principle, that where the price of labour was cheap, manufactures could be carried on to the greatest advantage, they purchased an estate in the county of Caithness, at a place called Skibo, and began the necessary erections. Had they been warranted by prudence in completing their undertaking, the consequences would have been of the most beneficial kind, for the emigration of the inhabitants would have been prevented by the certainty of employment, and such is the unaccountable, and perhaps ridiculous attachment to the country, that the sturdy inhabitant of those almost *Hyperborean* regions would have been better contented with a scanty subsistence in one of the most northern counties of Scotland, than have become an independent freeholder amidst the woods of the Trans-Atlantic Continent !

While an occasional resident in London, as well as in Edinburgh, Mr. Dempster had always a predilection for literary society. He is mentioned by Boswell, both in "the Voyage to the Hebrides," and in his *Life of his*

" Guide, philosopher, and friend."*

* Mr. Dempster entertained a very extraordinary degree of respect for Dr. Johnson. This is recorded in the following manner by Mr. B.

" Next morning (this occurred in 1763) Mr. Dempster happened to call on me, and was so much struck even with the imperfect account which I gave him of Dr. Johnson's conversation, that to his honour be it recorded, when I complained that drinking port and sitting up late with him affected my nerves for some time

Nor is this all, for he himself may be justly considered as a man of letters, having devoted much of his time to composition.

Since his retirement, and even so recently as the year 1803, he has corresponded with the editor of a periodical publication,* relative to the means of

after, he said, "one had better be palsied at eighteen, than not keep company with such a man."

We have fairly transcribed the passage, but consider it as a mere *jeu d'esprit*, being certain that however high his admiration for a man of talents, Mr. D. would never have endangered a paralytic affection for any one.

* We shall here give an extract of a letter to the Conductor of the Farmer's Magazine, dated February 9, 1803.

"How much depends upon mankind thinking soundly and wisely on agricultural topics, which, in point of extent, surpass all others, and which may be said to embrace the whole surface of the globe we inhabit! I would still be more lavish in my commendation of your design, were it not that I should thereby indirectly make a panegyric on myself. For these last forty years of my life, I have acted in the management of my little rural concerns on the principles you so strenuously inculcate. I found my few tenants without leases, subject to the blacksmith of the barony; thirled to its mills; wedded to the wretched system of out-field and in; bound to pay kail, and perform personal services; clothed in hoddens, and lodged in hovels. You have enriched the Magazine with results of your farming excursions. Pray direct one of them to the county I write from; peep in upon Dunichen: and if you find one of the evils I have enumerated existing; if you can trace a question, at my instance, in a court of law, with any tenant as to how he labours his farm; or find one of them not secured by a lease of nineteen years at least and his life, the barony shall be yours. You will find me engaged in a controversy of the most amicable kind with Lord Carrington, defending the freedom of the English tenants from the foolish restrictions with which

meliorating the situation of his native country, by agricultural improvements, and indeed one of the

their industry is shackled, prohibitions to break up meadow land, to sow flax, to plant tobacco, &c. &c., all imposed by foolish fears, or by ignorance, and confirmed by the selfish views of land stewards, who naturally wish the dependence of farmers on their will and pleasure. God knows, Scotland is physically barren enough, situated in a high latitude, composed of ridges of high mountains; yet, in my opinion, moral causes contribute still more to its sterility. I urge the zealous prosecution of your labours, as a general change of system and sentiment is only to be affected slowly: your maxims are destined first to revolt mankind, and, long after, to reform them. There never was a less successful apostle than I have been. In a mission of forty years, I cannot boast of one convert. I still find the tenants of my nearest neighbours and my best friends, cutting down the laird's corn, while their own crops are imperiously calling for their sickles. I am much pleased with the rotations you suggest; and as those topics are very favourite ones with me, they occupy no small portion of my leisure moments.

“The Highland Society being silent on the subject of the emigration of the Highlanders who are gone, going, and preparing to go in whole clans, can only be accounted for by those who are more intimately acquainted with the state of the Highlands than I pretend to be. One would think the society were disciples of Pinkerton, who says, the best thing we could do would be to get rid entirely of the whole Celtic tribe, and people their country with inhabitants from the low country. How little does he know the valour, the frugality, the industry of those inestimable people! or of their attachment to their friends and country! I would not give a little Highland child for ten of the highest Highland mountains in all Lochaber. With proper encouragement to its present inhabitants, the next century might see the Highlands of Scotland cultivated to its summits, like Wales or Switzerland, its vallies teeming with soldiers for our land army, its bays, lakes and friths with seamen for our navy. But this is a long chapter. A Roman orator says, arms must give way to the gown—A modern orator

volumes of that work has been recently dedicated to him.

Mr. Dempster now resides constantly at Dunnichen-house, in the parish of the same name, which is situate in the county of Forfar. Approaching near to that time of life which will class him among the *Octogenarians*, he can look back with satisfaction to the space that has already elapsed, and contemplating the improvement and happiness around, produced by the labours of nearly half a century, be almost exempt from the reproach of the great

might say, with more truth, arms must give way to the wool the gown is made of.

“ At the height of four hundred feet above the level of the sea, and ten miles removed from it, I dare not venture on spring wheat, but I have had one advantage from my elevation, my autumn wheat has been covered with snow most of the winter, through which its green shoots peep very prettily. I have sometimes believed that this hardy grain is better calculated for our cold climate than is generally thought, if sown on well cleaned and dunged land, very early, perhaps by the end of September, so as to be in ear when we get our short scorch of heat from 15 July to 15 August, and to profit by it. I was pleased with your recommending married farm-servants. I don't value mine a rush till they marry the lass they like. On my farm of 120 acres, I can shew such a crop of thriving human stock as delights me. From five to seven years of age, they gather my potatoes at 1d. 2d. and 3d. per day, and the sight of such a joyous busy field of industrious happy creatures revives my old age. Our dairy fattens them like pigs; our cupboard is their apothecary's shop; and the old casten clothes of the family, by the industry of their mothers, look like birthday suits on them. Some of them attend the groom to water his horses; some the carpenter's shop, and all go to the parish school in the winter time whenever they can crawl the length.”

Roman, who was pleased to exclaim, "that he had lost a day!" Within that space of time he has drained the moss of Dunnichen, and besides adding to the cultivated surface of his estate, has been rewarded with an abundance of marl,* situate nearly 400 feet above the level of the sea. The *Peat Bog* of Resteneth, consisting of about 70 acres, has at a later period been subdued, and marl to the amount of about 14,000℥. dug from its bottom in the space of fourteen years.

Within a short distance of the family mansion, the village of Letham has risen as if by magic, at his bidding. He has *feued* out the land to the sons of toil, and there is already to be found a stamp-office and a weekly market, for the sale of yarn and brown linen manufactures, which he has zealously exerted himself to promote.

Nor ought it to be forgotten, amidst objects of superior import, that he was the first to teach his countrymen to pack their fresh salmon in ice, both of which commodities find a ready sale in the metropolis of the empire.

But it is almost peculiar to this celebrated man, that those schemes in which he has failed, are to the full as beneficent, and but for a rare occurrence of events, equally practicable, and perhaps still

* This is produced by the deposition of innumerable shells, with the rich animal substances contained within them. These chiefly consist of the "*Helix Animal Limax*," and the "*Tellina, Animal Tethys*" of Linnæus.

more meritorious, than those in which he has succeeded !

“Omnibus qui patriam conservaverint, adjuverint, auxerint, certus est in cœlo & definitus locus, ubi beati ævo sempiterno fruuntur.”—*Cicero, Som. Scip.*

MARQUIS OF LOTHIAN,
KNIGHT OF THE THISTLE, &c. &c.

THERE are a few well-known faces, which become by degrees familiar to individuals, and after a superficial acquaintance of thirty or forty years, are in some measure interesting, if not dear to the public. Let any one, long accustomed to a town life, (if such a person can be *supposed* to possess any sentiment!) be asked, if he does not in the course of time acquire a habit of contemplating certain persons, with whom, perhaps, he has never interchanged a single word, with a considerable degree of complacency? Does he not behold, with the return of every winter, a few men of fashion, beyond the middle term of life, whom he has been accustomed to meet for a series of years, in St. James's-street, Pall-mall, or New Bond-street, and does not their re-appearance, after their summer's excursion, gladden his cheek, and impress his heart with a certain degree of satisfaction? Yes! and if both the parties reciprocally possessed but that degree of good-nature, which the French denominate *bon-homme*, they would bow to each other at Paris,

converse in Philadelphia, and in all probability shake hands at Constantinople, or Canton !

The writer of the present article finds himself exactly in this predicament, and when an old dowager, or an aged nobleman or gentleman, whom he has been accustomed, for a series of years, to see either driving or walking about the metropolis, goes off the stage, he feels the same kind of disagreeable sensation, as one of our modern GALILEOS, when, with his glass adjusted to the proper focus, and firmly fixed on its moveable axis, he *sweeps* the heavens in vain for a last look at a new comet, which has just sunk, perhaps for ever, below the horizon.

For many years he had beheld in all fashionable places, a nobleman small in stature, but well made, with a star on his left breast, and the roses still unaccountably blooming on cheeks that had experienced the rigors of many northern winters. He was accustomed to meet him constantly in the neighbourhood of St. James's, with a smart cocked hat, finely plumed, a wig carefully dressed in the extremity of the fashion, a coat embroidered so as to prove suitable to an officer of cavalry, and a pair of boots which reflected every object around with such precision, that the then adjutant of his own regiment, or one of our modern Adonis's, might have contemplated his own *handsome* face in it, without the aid of a mirror ! At Covent Garden or Drury Lane, this same General was usually to be seen in the King's box ; and at every review of the

horse guards, the same handsome little man, mounted on a foaming charger, with rich housings, was always present in Hyde Park.

After enjoying this *sight* for many years, a sudden eclipse took place, and he was extremely mortified, on the return of several succeeding winters, as well as on the re-appearance of as many springs, that this gay and gaudy tulip no longer lifted its head in the parterre of fashion. At length, after a variety of fruitless enquiries, while riding through an obscure town in Hampshire, he accidentally beheld the same person, the same star, and the same blooming countenance, at the window of a genteel house, and as he is not always master of his own impulses, he involuntarily stretched out his hand to his *beaver*, and bowing with a certain degree of respectful diffidence, experienced a very courtly salutation in return; so that the whole scene, although it consisted only of *dumb-shew*, which, translated into intelligible English, seemed to say, "Good Heavens! after so many years absence, we have met once more!" There was neither look nor gesture that seemed to intimate a plain truth—"and, indeed, we are both somewhat worse for wear."

The nobleman of whom we are about to treat in the following brief memoir, is descended from a very ancient and illustrious family. The Kerrs, or Kers, are supposed to have come originally from Normandy, and to have settled first in the county of Lancaster. From Kerr, of Kerr-Hall, in that

district, descended two brothers, Ralph and Robert, who had large possessions in the county of Roxburgh, who, about the time of David II.* king of Scotland, constituted the two branches of Cessford and Ferniherst.

Robert having obtained from the monarch the lands of Oultoborn, lying near the river of Beaumont, became ancestor to the Dukes of Roxburgh.† From the other branch, or that of Ferniherst, descended Mark Kerr, created Earl of Lothian, by James I. in 1609, and his grand-daughter and heir having married Sir William Kerr, son and heir of Robert Earl of Ancram, his son Robert, in 1701, was created Marquis of Lothian, by William III.‡

The most noble John William Kerr, Marquis and Earl of Lothian, &c. &c. &c. was born in 1737; his father was the Earl of Ancram, and his mother Lady Louisa D'Arcy, only daughter of the Earl of Holderness.

Uniting high rank with a small fortune, this young nobleman, at an early period of life, made choice of the military profession. He accordingly obtained a pair of colours in the army; and as he possessed a good person, joined to a handsome face,

* Circ. A. D. 1340.

† The estates of this noble family are at present in litigation, an appeal having been made from the decisions of the court of session in behalf of Sir James Innes Kerr, first grandson of Lady Margaret.

‡ Edmondson's Peerage, p. 159-90-91.

and had improved his manners by foreign travel, Lord Newbottle was considered one of the most fascinating young men of that day.

After acquiring the rank of captain of infantry, the successful wars, supposed in part to be occasioned by the *rapid movements* of Frederick the Great, produced a great change in the English service, and, indeed, in that of all Europe. Colonel Elliot, afterwards better known by the name of Lord Heathfield, the gallant governor of Gibraltar, accordingly, in 1759, determined on effecting an innovation, and for this purpose obtained a letter of service to levy a regiment of light dragoons, called at that period the First, and since, his Majesty's, or the Fifteenth.

Lord Newbottle, who by this time had obtained a company of foot, as has been already observed, was preferred about the same period to a troop in the newly-raised *corps*, and, if we mistake not greatly, the present Governor of Chelsea Hospital (General Sir David Dundas, K. B.), who has since distinguished himself in a variety of ways, particularly by his "*Principles of Military Movements, chiefly applicable to Infantry*," was another of the Captains. With this celebrated regiment, we believe, both of these officers went to Germany, and served under Prince Ferdinand; they also assisted in some of the expeditions to the coast of France, which, with all due deference to the great abilities of the Earl of Chatham, proved of but little service. In 1761 he was promoted a lieutenant-co-

lonel in the 12th regiment of light dragoons, and in 1762, when he had attained the age of twenty-five, this young nobleman married Miss Fortescue, niece to the Earl of Mornington, whose descendant has lately become Marquis of Wellesley, and by this lady he had no less than eight children, of whom three were sons, and five daughters.

In 1767, in consequence of the demise of his grandfather, Lord Newbottle became Earl of Ancrum, and on the 28th of April, 1775, by his father's* death, he obtained the title of Marquis of Lothian. About this time the family sustained a great loss, in consequence of the destruction of Newbottle Abbey by fire, a venerable and ancient pile of building, which recalled the memory of past ages, the pristine magnificence of monastic institutions, and the former grandeur in which the house of Lothian was accustomed to live, in Scotland.

In 1777, while a major-general, the Marquis was appointed to the command of the first regiment of horse-guards; in 1782 he was promoted a lieutenant-general, and in 1796, a general. In 1778 he was nominated one of the sixteen Peers of Scotland; at the general election in 1780, his

* That nobleman, also an officer, was returned a Burgess for the borough of Richmond, to the 11th and 12th parliaments of Great Britain (1754 and 1762). The marquis, as well as his son, obtained the green ribband.

lordship was left out, but was returned again in 1784.

During this Parliament, the unfortunate illness of his Majesty occasioned long and violent discussions in both Houses ; but unluckily for Lord Lothian, he dared to think for himself, and voted against the ministry on all the divisions relative to the regency bill. The consequences were equally unexpected and disagreeable ; for his lordship was dismissed from his command of the first regiment of horse-guards, which certainly, in the confined state of his fortune, was a severe, and, in the opinion of many, an unmerited punishment. Since that period, the Marquis's name has also been omitted in the list of the sixteen Peers. He has obtained, however, the colonelcy of the eleventh light dragoons.*

This noble lord lost his lady in 1787, at which time he had no less than five unmarried daughters ; and on these his Majesty is said to have graciously settled a pension.

Since that epoch, his lordship has resided almost entirely in the country. Of late years, he has chosen the town of Farnham for the place of his abode, and he dwells there in great privacy, and devoid of any pomp.

Although it may be now said, that " Othello's occupation's gone," yet, such is the force of habit, that we understand this nobleman is daily dressed,

* He received the command of this regiment Oct. 23, 1798.

powdered, and equipped, as if for the parade, although threescore and one years have passed over his head. May many summer suns still enliven his existence, and may the rigours of winter be softened, so as to prolong the life of this noble veteran, who is now tenth on the list of Generals in the British service.

THE COCHRANES.

I. THE EARL OF DUNDONALD.

“ *Virtute et labore !* ”

THE head of the family of which we are now about to treat, has constantly displayed a love of scientific pursuits, and, like many other celebrated men, has contributed to the improvement of his country, and the advancement of useful knowledge, without enriching himself. Indeed, it may be fairly added, that few individuals of the present day, have effected more for the community, or profited less in respect to themselves : the fact is, that he has hurt his own private fortune by speculations which have proved eminently advantageous to others, and resigned that time, and those talents, to the public, which would have proved highly beneficial, in a pecuniary point of view, if they had been originally confined to the management and improvement of his own estate.

The noble family, of which the Earl of Dundonald is the representative, according to * Edmondson, took its surname from the barony of Cochrane, in Renfrewshire, North Britain, where it appears to have been of great antiquity. Although his ancestors did not attain the dignity of the peerage until the reign of Charles I. yet they had been barons of some distinction for many centuries before, and doubtless enjoyed certain feudal rights formerly exercised in Scotland, such as *pot and gallows*, &c. which, thanks to the better system now prevalent, can no longer be claimed by individuals, however rich, or however powerful.

William Cochrane, a chieftain who possessed some power and renown in his time, left but one child, Elizabeth, who was married to Alexander Blair, which is the proper family name at this day, and by him had seven sons. William, the second of these, was created Baron Cochrane, in 1647, by the first, and advanced to the dignity of Earl Dundonald, in 1669, by the second Charles. From his eldest son descended seven Earls of Dundonald, but that branch became extinct in 1758, by the demise of William, a bachelor, who was killed at the capture of Cape Breton. On this, the honours and estates devolved on Thomas, the father of the present peer, he being descended from John, the younger son of the first Earl.

* See the "Present Peerage," p. 224.

Archibald Cochrane, Earl of Dundonald, was born about the year 1744. As his family was distinguished rather by its honours than its wealth, it was intended that he should be bred in the navy. He accordingly served as a midshipman, on the quarter deck of a ship commanded by one of his countrymen, the late Captain Stair Douglas.* He was afterwards stationed on board a vessel on the coast of Guinea, as an *acting* Lieutenant, and we have been informed, that even then he displayed a certain degree of talent, and that too of a species not frequently met with on board a man of war. He was also noticed for a peculiarity which we have never witnessed, or indeed heard of, in a warm climate, and that is, the custom of appearing constantly, except on duty, without a hat, which practice, he contended, kept the head cool; but of this we must beg leave to entertain doubts. It is but fair to remark, however, that the death of the late gallant admiral Lord Hugh Seymour, in the West Indies, has been attributed, by many professional men, to the wearing of an enormous gold laced, or as the sailors term it, *iron-bound* hat, which produced the disease that proved fatal to him.

Be this as it may, Lord Cochrane, for so he was then termed, did not continue many years in the

* He was related to the house of Queensberry, and obtained the rank of post captain, May 29, 1762. Captain Douglas was an officer of the *old school*, gallant, and brave, but greatly addicted to swearing, notwithstanding which, it is a well known fact, that he would never proceed to sea without a chaplain.

naval service, for soon after his return (October 7, 1774), he married Miss Anne Gilchrist, daughter to a captain in the royal navy, by whom he had no less than five sons,* two of whom are now officers in the royal navy, and two in the army.

In 1778, by the demise of his father, his lordship succeeded to the family honours; in 1784, he lost his first wife, and in 1788, he married Mrs. Mayne, a widow lady, by whom he has not had any issue.

While some of the Earl of Dundonald's family were actuated by the laudable motive of augmenting a scanty patrimony in the East, and others were pursuing the road to fortune in the West Indies, he himself determined to strike out a new path to fame.

There are many instances in former times, of men of the highest rank in this country attaching themselves to those pursuits which tend to the glory of a great, and the prosperity of a commercial nation. Prince Rupert, the nephew of Charles I. after conducting himself with ability, both as a general and an admiral, retired to Windsor Castle, of which he was governor, at the conclusion of the third Dutch

* 1. Lord Cochrane, of whom mention will be made hereafter, is a post captain.

2. The Hon. Archibald Cochrane, obtained the same rank in the royal navy.

3. The Hon. Basil Cochrane, has been lieutenant-colonel of the 36th foot, since 1806.

4. The Hon. William Erskine Cochrane, was for many years an officer in the dragoons.

war, and spent a great portion of the remainder of his life in the prosecution of chemical and philosophical experiments, as well as in the practice of the mechanic arts.

He is mentioned by several authors with applause, on account of his skill in painting, and is allowed to have been the discoverer of engraving in mezzotinto. He took great delight in making locks for fire-arms, and was the inventor of the composition called after him *Prince's metal*. He also communicated to the Royal Society his improvements in the art of making gunpowder, by means of which its force was augmented ten fold.

In addition to these, he contrived an engine for raising water; produced a gun for the discharge of several bullets at the same time, communicated a new method of blowing up subterraneous rocks, and found out a mode, by means of which black lead might be run like a metal in a mould. His Highness was also a great promoter of the commerce to Africa—not the disgraceful traffic in men—but in gold dust and elephants' teeth—and an active member of the Council of Trade. It was in consequence of his solicitations, that the Hudson's Bay company was erected, and a considerable opening at the east side of that coast, was named after him, *Rupert's River*.

To conclude; a little before his death, which occurred on the 29th of November, 1682, at his house in Spring Gardens, after he had attained his grand climacteric, the Prince was concerned in the pa-

tent for "nealed cannon in a glass-house," which although it does not appear to have succeeded, nevertheless proves that he was eager on all occasions, to contribute to the interest of a country, to the constitution and liberties of which he was greatly attached, towards the latter part of his life.

Still nearer to our own times, George Parker, Earl of Macclesfield, was not only a distinguished mathematician, but to him was reserved the honour of correcting the Julian calendar, and regulating the style. Anterior to this period, the months were not correspondent to the seasons, while every bill of exchange, drawn either in, or upon any other state of Europe, Russia only excepted, carried a gross *anachronism* on the face of it.

Nor ought the name of John Lord Napier of Marchistoun, to be forgotten in this list of men ennobled by nature, and endowed with powers so beneficial to mankind; for it is to him that navigation is indebted for its best aid; and that the Tyro is enabled now to perform, what the veteran practitioner could only achieve, and that too, not without difficulty, anterior to his day.

The subject of the present article also lays claim to consideration, on the score of practical utility. One of the first inventions published by this nobleman, was intimately connected with the safety of the British navy, the extension of our mercantile speculations, and the advantage of the great proprietors of estates in the northern portion of the United kingdom. While on the coast of Africa, he

had perceived, that both King's ships, and those so unworthily employed under the name of *Guineamen*, were subject to be worm-eaten in a very short space of time, and indeed instances had occurred in some of the great rivers, where vessels in the course of a few months, were declared not to be "sea worthy."

To remedy such a grievance, became a particular object of his study, and he at last hit upon an expedient, which promised to be attended with the most brilliant success, both in a national and profitable point of view. It was his lordship's opinion, that an extract from coal, in the shape and consistence of tar, would prove effectual to the end proposed, and after a variety of trials, it was at length found to answer. By way of a final experiment, an application was made to the States General, and a guard-ship stationed at the mouth of one of the great rivers that empty themselves into the sea in Holland, had *her bottom payed* (to make use of a naval term), with this composition. As that portion of the coast bred the worm so destructive to navigation, it cannot be doubted that the result, if favourable, was likely to prove fully satisfactory, and indeed it proved highly honourable to the noble projector, for on the return of the vessel into port, the keel, and all the streaks below, as well as above water mark, were found to be sound and substantial. A certificate was accordingly granted, and a similar trial made on a decked boat, stationed at the Nore; but although the result of this was

also found decisive, and a patent was actually obtained, yet Lord Dundonald ultimately reaped no profit whatsoever, but incurred a real and substantial loss.

As the small, or refuse coals were equally good as the best, warehouses and proper buildings for carrying on the process, were erected at Newcastle; however, either the prejudice existing against innovation, or the general adoption of copper sheathing, rendered that speculation in a great measure abortive; so that the coal tar is now only used as a cheap, but efficacious, covering for out-houses, sheds, and fences.

* It is evident from the nature of the process alluded to above, that the general results of *carbonisation*, which form the basis of one of the great modern joint stock companies, could not have escaped the notice of the Earl of Dundonald.

The following account of the practical application to purposes of real life, may be deemed curious by some, and is therefore subjoined.

“ Frederick Albert Wintor, formerly of Cheapside, London, but now of Pall-Mall, on the 18th of May, 1804, obtained a patent for ‘ an improved oven, stove, or apparatus, for the purpose of extracting air, oil, pitch, tar, and other acids, from, and reducing into coke and charcoal, all kinds of fuel, and which is also applicable to various other purposes.

“ A metal, brick, or earthen stone, oven, retort, or vessel, to be so constructed as to reduce by means of fire and heat, all raw fuel of any kind into coke and charcoal, without any, or at least but little consumption of the fuel; by which operation, the smoke being contracted, is thus conducted through cold water, or air, into a condenser, which, after being sufficiently cooled or purified, is resolved into tar, pitch, oil, acid ammonia, and inflammable gas, or air.

“ This may serve in a four-fold sense :

“ 1. To heat any vessel.

“ 2. To heat another vessel by means of the hot smoke.

“ 3. To heat a third by means of the inflammable air or gas, made by smoke.

“ And 4thly, To heat a fourth vessel by the coke or charcoal saved by the principle of carbonisation.

“ The charcoal, &c. thus saved, may be employed :

“ 1. In the manufacture of gunpowder.

“ 2. In the preservation of vessels, buildings, and railings, exposed to the weather, from the effects of air and weather.

“ 3. In the manufacture of alum, vitriol, copperas, and white lead, and in calico printing, dyeing, and tanning.

“ 4. The sails of ships prepared by this acid, will be much increased in their durability.

“ 5. The ammoniacal products may be crystallized into sal ammoniac, camphor, &c.

“ 6. The inflammable gas or air being purified from that carbon so pernicious to respiration and dwellings, may be led and conducted in a cold state through tubes of silk, paper, earth, wood, or metal, to any distance in houses, rooms, gardens, places, parks, and streets to produce light and heat. This principle of carbonisation and preserving inflammable air, from raw and refined smoke, is applicable to all public and private illuminations, light-houses, telegraphs, and making signals on steeples, halls, towns, mountains, houses, ships, and sea coasts.

“ The above apparatus and principle of carbonisation, is applicable to mechanics, hydraulics, or any other purpose for increasing and multiplying any force and power whatsoever.”

In 1785, his lordship published a work on “ the manufacture of salt,” in which he recommended the *refuse* as a manure. Ten years after, appeared a thin quarto volume, entitled “ a Treatise, shewing the intimate connection that subsists

between Agriculture and Chemistry: addressed to the cultivators of the soil, to the proprietors of fens and * mosses in Great Britain and Ireland, and to the proprietors of West India estates; by the Earl of Dundonald."

In the course of this work, the author has discussed a number of miscellaneous subjects. On one hand, he professes to hold the *new doctrines* propagated in France in great abhorrence, and on the other, enters into a variety of remarks on the vegetable matter called *peat*, the impolicy of the malt tax, the salt tax, and the coal tax, as tending to cramp the exertions of individuals; he also infers from the general salubrity and advantage of saccharine food, that horses and cattle would receive more benefit from *malted*, than from real † grain; he affirms, that the utility of common salt, as a necessary stimulus to digestion, is not more obvious, than when employed as a chemical agent in the improvement of lands.

The views of this nobleman will be best exhibited by the subjoined extract:

* In the year 1804, the Highland Society of Scotland, actuated by a similar feeling, offered a premium, consisting of a piece of plate, value 60l. for the best and most approved essay:

"Upon the properties and uses of the *peat moss*, first as soil, and secondly, on the best methods of converting it into manure, illustrated by actual and authenticated experiments."

† It would be unjust to omit, that a number of speculative agriculturists, acting on this principle, have actually fattened their cattle in 1808, with treacle.

“ In the following pages an attempt will be made to explain, on established principles, the processes that accompany the cultivation and amelioration of the soil. This discussion will come forward with peculiar advantage at a time when provisions bear so high a price, and when individuals, awakening from the golden dreams of manufactures and of commerce, begin to see, and experimentally to feel, that the prosperity of a nation cannot be permanent, nor its inhabitants quiet and contented in their respective situations, where agriculture is neglected, and an unwise preference given to manufactures and commerce, occupations that produce very different effects on the bodies and minds of men, from those that are attendant on the sober and healthful employment of husbandry.

“ By the adoption of a new line of investigation exemplified in the following treaties, light has not only been thrown on the action and effects of the manures at present employed, but the uses of other substances and methods of combining and preparing them have been discovered, from which there are just grounds to believe a valuable addition will accrue to the present stock of agricultural knowledge.

“ It will appear that the saline and other substances capable of being applied to promote vegetation, are very numerous. By far the greater part of them escaped the notice of those who have made agriculture their study ; nor have any attempts even been made to explain, on chemical principles, the operation of the manures and substances now in use. Had such researches been prosecuted to effect, they would have led to the discovery and application of other substances capable of being employed with equal, or perhaps superior advantages.

“ The promotion of agriculture is not solely to be considered as creating a more plentiful supply of food, but it is to be regarded as morally and politically conducing to the true happiness of man, by giving to him the occupation allotted to his first parents ; whence flow health, social order, and obedience to lawful authority ; consequences very different from those that are produced by the over-driven system of manufacturing, in which the industrious workman is often subjected to great inconveniences, not only by the fluc-

tuation in the demand for the articles he manufactures, but likewise by a total suspension of trade, by war, and other causes. When evils like these, which he has no power to avert, press hard upon him, he is frequently rendered desirous of assisting to bring about any political change, whereby he is tempted to believe that his situation may be rendered more comfortable; hence he becomes unquiet, and to society a less valuable member than the husbandman, whose occupation does not expose him to such distress, nor to the like temptations.

“Whilst the benevolent must feel for the hardships to which at times manufacturers are liable, still they cannot but recollect the restless spirit so frequently manifested by persons of this description, even in the moment of the greatest prosperity, especially in towns and cities, where, for the interest and convenience of the masters, and not of the workmen, they are collected in great numbers.

“To this assemblage may be ascribed the dissemination of pernicious doctrines, by a few profligate persons, who are to be found in all societies, and who have it in their power to corrupt the good principles of the many. The well affected thus become the tools of the seditious and designing.

“To such political evils there is but one remedy.

“That a preference to all other pursuits be given to agriculture.

“That the establishment of such branches of manufacture as it may be wise to encourage, be promoted only in scattered villages resembling the townships in America. By this plan the diseases of the body and the mind would be rendered less contagious; each individual might, at a moderate rent, be supplied not only with a sufficient extent of ground to enable him to keep a cow, and supply his family with milk, an article indispensably necessary to the rearing of healthy children, but also what more might be requisite for raising potatoes and other vegetables, cultivated at his leisure by the spade, affording an agreeable and healthful change to his confined and sedentary occupation.

“The legislature of this kingdom, all good men, and all well disposed subjects, are earnestly called upon to unite in promoting the more complete cultivation of the soil; being the only system by which the comforts and the happiness of the people can be ad-

vanced, and the future existence of this country, as a kingdom, be effectually secured against foreign foes and domestic incendiaries.'

Still intent on every thing that could gratify his own turn for research, or be productive of practical benefit, in 1801, Lord Dundonald obtained a patent "for a method or methods of preparing a substitute, or substitutes for Gum-Senegal, and other gums, extensively employed in certain branches of manufacture,." This invention consisted of a substitute, formed from the hitherto useless class of plants, denominated *lichens* by botanists; the very useful ones called hemp and flax, and the bark of the willow, or the lime tree, are also enumerated.

Soon after this, his lordship repaired to the maritime part of Yorkshire, in order to make some experiments of a different kind, for the benefit of manufactures. On this occasion, the alum-stone was pitched upon, and trials made, we believe, on the estate of the present Lord Dundas.

In 1803, the noble Earl obtained a patent "for methods of treating or preparing hemp and flax, so as materially to aid the operation of the tools called *hackles*, in the division of the fibre. This invention chiefly consists in the removal from the vegetable substances just mentioned, not only the rind, but a considerable portion of the mucilage or extraneous matter, before they have been dressed for the spinner. This is effected by steeping, or boiling, beating, bruising, crushing, rolling, stamping, &c. so as to promote the solution, or discharge

of the mucilage, and the adhesion of the bark to the fibre.

We are happy to learn that this scheme has proved more fortunate, although not more meritorious perhaps than those already alluded to. In consequence of it, considerable improvements have been made in the manufacture of sail-cloth for the royal navy. Instead of the materials being used, as formerly, without a due and previous cleansing, the yarn is now steeped, bucked, and boiled for the loom, and the Board of Admiralty is so sensible of the advantages resulting from these processes, that it has of late become an indispensable article in every contract. When it is recollected, that the pernicious disease called the *mildew* is thus prevented, the additional expence of six shillings the hundred weight, cannot be deemed unreasonable*.

We shall conclude this brief account of a nobleman, whose life has been usefully employed in the service of his country, with the copy of a letter written by him, to the editor of our daily journals. It may be necessary to premise, that during the late contest for the city of Westminster, it was

* In 1804, twenty-five manufacturers of sail-cloth, &c. in England, and forty-three in North Britain, &c. agreed under certain penalties, to furnish government with 147,280 bolts of canvas, from forty to forty-five yards long each, and merchant vessels are beginning to adopt the same plan. Warrington, Kirkham, Lancaster, Whitehaven, Stockton, Whitby, and Hull, were the seats of the manufacture in England, and the towns of Dundee, Aberdeen, Montrose, and Brechin, in Scotland.

arged merely for *election purposes*, that the noble Earl was lying at the point of death, so as to render the votes given to his son of no avail, it being evident, in case of the demise of his father, that thereby becoming a Scotch peer, he would of course be rendered ineligible to a seat in the House of Commons. To defeat such a palpable misrepresentation, the following good-humoured letter was transmitted :

SIR,

London, Nov. 24, 1807.

On perusing your Paper of this date, I was very much surprised to find that you had represented my state of health to be so bad, that my life was despaired of. I assure you, Sir, that I never enjoyed better health; and I flatter myself that I shall outlive all the members and candidates for Westminster, excepting my son, Lord Cochrane. As you seem to take a particular interest in my state of health, you shall be duly informed by me when my life is despaired of.—Information as to my DEMISE you cannot well expect to receive from ME.—You will oblige me by giving this letter a place in your paper of to-morrow.

I am, Sir, your obedient servant,

DUNDONALD.

2. LORD COCHRANE.

ALEXANDER Lord Cochrane, the eldest son of the Earl of Dundonald, by Anne, daughter of Captain Gilchrist, was born December 24, 1775. Having been intended, like his maternal grandfather, for the navy, he was placed at an early period of life under the care of his uncle and

1808-1809. v

godfather, the present Admiral Sir Alexander Cochrane.

After having served for some time in the West-Indies, the Bay of Biscay, and the home station, he passed for a lieutenant. The next step was that of master and commander, which he obtained on being promoted to the command of the *Speedy* brig, of fourteen guns, and this led in its turn to the rank he now holds.

Happening to be stationed off Barcelona, in 1801, he engaged, boarded, and captured a Spanish sloop of war, called *El Gamo*, carrying upwards of twice his number of guns, which were besides of heavy metal.* It is not a little remarkable, that in this action the enemy, in killed and

* The following is an account of the action, as detailed in Vol. II. p. 600, of the "Wars of the French Revolution:"

"Lord Cochrane, in the *Speedy* sloop of fourteen four-pounders, and fifty-four men and boys, performed a brilliant exploit by the capture of a Spanish xebec frigate, of thirty-two guns, and three hundred and nine seamen and marines, named the *Gamo*, off Barcelona. Perceiving from the great disparity of force, that a cannonade would only endanger the loss of his own vessel, without affording any chance of subduing the enemy, he determined on boarding; and such was the impetuosity and success of the attack, that she was carried with the loss of one man only, although nineteen were killed on the part of the foe."

N. Pococke, in 1805, exhibited a picture in water colours, at the rooms in Lower Brook-street, in honour of Lord Cochrane. It was descriptive of the boarding and taking of the Spanish xebec frigate, *El Gamo*, by his Majesty's sloop *Speedy*, commanded by the above nobleman, off Barcelona, May 6, 1801.

wounded, lost more than the lumber on board the *Speedy*.

In the course of the same year, and with the same brig, he took thirty-three vessels from the foe, mounting in all to 128 guns, and made 530 prisoners.

He also, in company with another brig, destroyed a twenty-six gun ship, three gun-boats, a heavy battery, and a whole convoy which had taken refuge behind it. Soon after this, he effected a landing on the coast of Spain, first seized, and then blew up the tower of Alcanenara, on the coast of Spain.

His conduct during the action with *El Gamo*, obtained for him the rank of Post Captain in the British navy; and at the commencement of the present war, his pendant was flying on board the *Pallas* of 32 guns, twelve-pounders. In this frigate, while ninety of his men were absent, having been sent to cut out a corvette, of 14 guns, his lordship attacked three French national ships of 18, 22, and 24 guns each, which were driven on shore and wrecked.

In the month of May, 1806, he landed on the French coast, and having led his gallant crew in person, destroyed all the signal posts which were stationed so as to give notice of the approach of English cruizers. While effecting this service, part of his men engaged and routed a small body of militia, spiked the guns of the batteries, which

had been attempted to be defended by them, blew up the magazines, and threw the shells into the sea.*

* From the London Gazette, June 3, 1806.

Admiralty Office, June 2.

Copies of Letters from Captain Lord Cochrane which were addressed to Vice Admiral Thornborough, and by him transmitted to Earl St. Vincent.

His Majesty's Ship Pallas, St. Martin's

SIR,

Road, Isle Ree, May 10.

"The French trade having been kept in port of late, in a great measure, by their knowledge of the exact situation of his majesty's cruizers, constantly announced at the signal posts, it appeared to me to be some object, as there was nothing better in view, to endeavour to stop this practice. Accordingly then, two posts at La Pointe de La Roche were demolished; next, that of Caliola; the two in l'Ance de Repos, one of which Lieutenant Haswell, and Mr. Hillier the gunner, took in a neat style from upwards of one hundred militia.

"The marines and boats' crews behaved exceedingly well. All the flags have been brought off, and the houses built by government burnt to the ground.

"Yesterday too, the zeal of Lieutenant Norton, of the Frisk cutter, and Lieutenant Gregory, of the Contest gun brig, induced them to volunteer to flank the battery on Point d'Equillon, while we should attack it by land in the rear; but it was carried at once; and one of fifty men, who were stationed to the three thirty-six-pounders, was made prisoner; the rest escaped. The battery is laid in ruins—guns spiked, carriages burnt, barrack and magazine blown up, and all the shells thrown into the sea. The signal post of Equillon, together with the house, shared the fate of the gun-carriages: the convoy got into a river beyond our reach.

"Lieutenant Mappleton, Mr. Sutherland the master and Mr. Hillier, were with me, who, as they do on all occasions, so they did at this time all that was in their power for his Majesty's service.

S. S.

A few days after this, the *Pallas* attacked and beat the French frigate, afterwards captured by Sir Samuel Hood, although supported by three sloops of war.*

"The petty officers, seamen, and marines failed not to justify the opinion that there was before reason to form; yet it would be inexcusable were not the names of the quarter-masters, Barden and Casey, particularly mentioned, as men highly deserving any favour that can be shewn in the line to which they aspire.

I have, &c.

(Signed)

"COCHRANE."

Seamen slightly wounded.—Wm. Barden, Quarter-master;
William Coburn, Seaman.

Marine slightly wounded.—Robert Boulden.

* *His Majesty's Ship Pallas, May 14,
off the Island of Oleron.*

"SIR,

"This morning when close to l'Isle D'Aix, reconnoitring the French squadron, it gave me great joy to find our late opponent, the black frigate, and her companions, the three brigs, getting under sail; we formed high expectations that the long wished-for opportunity was at last arrived.

"The *Pallas* remained under topsails by the wind to await them; at half past eleven a smart point-blank firing commenced on both sides, which was severely felt by the enemy. The main-top-sail-yard of one of the brigs was cut through, and the frigate lost her after-sails. The batteries on Isle D'Aix opened on the *Pallas*, and a cannonade continued, interrupted on our part only by the necessity we were under to make various tacks to avoid the shoals, till one o'clock, when our endeavours to gain the wind of the enemy, and get between him and the batteries, proved successful; an effectual distance was now chosen—a few broadsides were poured in—the enemy's fire slackened—I ordered our's to cease, and directed Mr. Sutherland, the master, to run the frigate on board, with intention effectually to prevent her retreat by boarding.

In 1806, happening to return to Plymouth after a successful cruize, this nobleman heard, by accident, that some of the electors of Honiton were desirous of the presence of a candidate, who uniting wealth with respectability, might fight their battle at his own expence. This borough, which had been long under the influence of the equestrian family of Yonge, had of late emancipated itself, in consequence of the declining fortunes of

“The enemy’s side thrust our guns back into the ports, the whole were then discharged, the effect and crash was dreadful; their decks were deserted, three pistol shots were the unequal return.

“With confidence I say, that the frigate was lost to France, had not the unequal collision tore away our fore-topmast, jib-boom, fore and main-top-sail-yards, spritsail-yard, bumpkin, cathead, chain-plates, fore-rigging, foresail, and bower anchor, with which last I intended to hook on, but all proved insufficient. She was yet lost to France, had not the French admiral, seeing his frigate’s fore-yard gone, her rigging ruined, and the danger she was in, sent two others to her assistance.

“The Pallas being a wreck, we came out with what little sail could be set, and his Majesty’s sloop the Kingfisher afterwards took us in tow.

“The officers and ships company behaved as usual; to the names of Lieutenants Haswell and Mappleton, whom I have mentioned on other occasions, I have to add that of Lieutenant Robins, who has just joined.

“I have the honour to be, &c.

“COCHRANE.”

Killed.—David Thompson, Marine.

Wounded.—Mr. Andrews, Midshipman, very badly. John Coger, and three other seamen, slightly.

(Signed)

“COCHRANE.”

the head of that house, the present Sir George. The voters, as is usually the case, had split into parties, some of which were supposed to be desirous to put up the elective franchise to the best bidder. Others, no doubt, were actuated by purer and nobler motives, and would have blushed at the idea of a bribe.

Mr. Cobbett, the author of the Political Register, finding, in the spring of 1805, that Mr. Cavendish Bradshaw had been obliged to vacate his seat, in consequence of the acceptance of an office in the Exchequer of Ireland, under the late administration, determined to make a stand against him. He accordingly repaired to Devonshire, and in an address to the public, intimated, that he should stand forward, if no other person presented himself, on *independent principles*.

The captain of the Pallas frigate happening to read this appeal to the public, immediately posted to the borough of Honiton, and offered his services. The election took place on the 10th of June, and a novel scene on this occasion, immediately opened itself to his view.

It was no longer with a public enemy he had to contend, but with some of his own countrymen; and we are sorry to add, that many of them, on this occasion, were said to have been stimulated less by the merits of the respective candidates, than the hopes of being wooed in the same manner as Danae of old.

After a speech from Mr. Cavendish Bradshaw,

Lord Cochrane addressed the electors, nearly as follows, and to those who recollect that it was with cannon he had been accustomed to *speak*, it will be probably allowed, that he would sooner have fought a pitched battle with a ship of war double the size of his own, than have encountered the mixed groans, hootings, and plaudits of the assembled multitude :

“ Gentlemen,

“ The very short time that I have had, has completely prevented me from gratifying my wishes by a personal and respectful application to each individual elector ; but the very flattering reception I met with at my entrance into your respectable borough, and the numerous instances of public spirit which I have since witnessed in this favourite spot of the most favoured of countries, encourage me to hope that my cause is not so very desperate as the gentleman who has just spoken seems to consider it.

“ Gentlemen, any little merit that I may have been so fortunate as to acquire in the performance of my public duty, I shall certainly not put in competition with any merits, of any sort, of Mr. Bradshaw. The greater part of my life has been spent in the toils of the sea ; but those toils have become pleasures. when I reflected that they might tend to the security and the honour of this happy land, and to the preservation of those invaluable liberties, to exercise the most important of which, you, Gentlemen, are this day assembled. To preserve those liberties unimpaired shall be the business and the pride of my life ; and as a pledge that I will make those efforts purely for the good of my country, I give you my word of honour, that *I never will accept of any sinecure or pension, or any grant of the public money, and that I never will ask or receive any such for any person whatever, that may be in any way dependant upon me.*

“ Gentlemen, I was brought here by no person ; I was induced to do myself the honour of presenting myself to you by the public address of Mr. Cobbett, which I read at Plymouth, and I have

now only to add, that if you do me the honour to elect me, my constant endeavour shall be to be useful to my country in general, and to this borough in particular; and I am, besides, extremely anxious to be able to point out some enormous abuses which, from my own observation, I know to exist."

On this, the Portreeve having asked whether any one demanded a poll, the noble Lord replied in the affirmative, and as the hustings were not prepared, the proceedings were adjourned until the next day. Accordingly, on the succeeding morning, the voters came forward, and at the conclusion, out of about four hundred entitled to the elective franchise, three hundred and eighty-three declared as follows :

For the Hon. Cavendish Bradshaw 259

Captain Lord Cochrane. — 124

Notwithstanding this disappointment, the noble commander promised to renew his pretensions, on some future occasion, and an opportunity accordingly occurred much sooner than he had any right to expect. In consequence of the dissolution of Parliament, occasioned by the demise of Mr. Pitt, and the appointment of Mr. Fox and Lord Grenville, a new one was called, after the lapse of only a few months. Lord Cochrane therefore, by way of redeeming his pledge, repaired once more to the town of Honiton. He set out from the port of Plymouth, on this occasion, in a true *seaman-like* style. He himself, accompanied by a couple of lieutenants, and one midshipman, all in full dress, as if engaged in actual service, proceeded in one carriage, and were followed in another by his boat's

crew, new-rigged and prepared for action. On the box sat the helmsman, who wished to regulate the *steerage*, which he doubtless lamented to see confided to two lubberly landsmen of postilions, with favours in their hats, and boots on their legs; while the boatswain, perched on the roof of the carriage, with his whistle in his mouth, kept the whole in order, and enabled all to cheer in due time, every blast being accompanied by a long and loud huzza. On their appearance at Honiton, they were received with loud plaudits, by a considerable body of the electors, but notwithstanding this, they had some reason to consider themselves on an enemy's coast, as they were obliged to expend almost every *spare shot in the locker*, before the conclusion of the contest. It was favourable, however, and Captain Lord Cochrane at length beheld himself a legislator; but this was not of long duration, for a speedy dissolution of the short Parliament took place, so that after enjoying a seat for this pure and incorruptible borough during a year, he found himself some thousand guineas lighter than when he first left Plymouth; yet some of his worthy constituents appeared as eager as ever to *hold out their hands*, no doubt for the purpose of a friendly shake!

This was too much to be done, at a time when there was scarcely a prize to be met with at sea. His lordship therefore immediately set sail for Westminster, where officers of the navy had been returned at little or no expence to themselves during the last half century. It is a certain fact, that he

was not at all known by person, and scarcely by name, when he first made his bow to the electors. Not above five or six housekeepers of any note rallied round his standard, while the popularity of one candidate,* then confined to his bed in consequence of a dangerous wound; the connexion of another † with the whigs, added to his reputation for extraordinary abilities, and the supposed local influence of a third, ‡ seemed to render every effort on the part of a stranger fruitless. His printed address §

* Sir Francis Burdett, Bart.

† Mr. Sheridan.

‡ Mr. Elliot, Colonel of the light-horse volunteers, and a brewer at Pimlico.

§ To the Independent Electors of Wsetminster.

“ Gentlemen,

“ An explicit declaration of the principles of every candidate for the suffrages of a free people, is indisputable to the freedom of election. The electors should be aware of the line of conduct intended to be pursued, in order that they may at once approve, or reject the candidate, having deliberately weighed his character, and considered the probability of his forfeiting the solemn pledge he gives to his country.

“ I shall be as brief as possible in the declaration of my principles. Measures favourable to the interests of the country I will support, let them be brought forward by whom they may; those hostile, or urged by factious motives, I will oppose, without any view to advantage, or dread of injury.

“ I am not one of those who are of opinion that persons should withdraw from the service of their country in despair. Men actuated by the dictates of conscience, who scorn to be ranked among the great paupers of the nation, and by sinecures and unmerited pensions to drain the resources of their country, may do much good even if their abilities are small. Sophistry is not required to

to the citizens, however, was drawn up with great judgment, and displayed much penetration. He

prove a truth ; subtle arguments may be used to establish the reverse. Is it absolutely impracticable that a member of the House of Commons can pursue a line of conduct wholly independent ? It has been said, that a man who does not link himself to the chains of some party is a mere cypher in that House : that the measures he may propose (however beneficial) will be rejected by both, because they do not originate with either. Let us hope that this is not the case,

“ An important appeal is at this crisis made to the country, and the whole body of electors of the united kingdom must decide, On a late occasion I gave a vote against an abstract proposition, because I viewed it in its consequences. It tended to throw a blame where no blame was due. It was connected with an approval of the Catholic Bill, which I considered not only inadequate to its purpose, but productive of religious dissensions in the naval service, to which my attention has been devoted. What would be the situation of our country with a Catholic disposer of our commissions and rewards ? Religious motives are more powerful than other motives.—Judging from what has passed, I did dread the future. These, Gentlemen, were the reasons for the conduct I pursued, not a deficiency of zeal for our fellow-subjects of the Catholic persuasion.

“ Gentlemen, I unequivocally avow my intention to stand unconnected with any of the candidates who have declared themselves. It is not a seat in Parliament that I am desirous to obtain ; it is the distinguished honour of representing your popular city, elected by the votes of unbiassed freemen, having confidence in the man they send to Parliament.

“ My professional life may be known to some of you, and I am aware that it has been objected, that a naval officer, liable to be called from his constituents is unfit to attend to their interests, and to perform his duty in Parliament. To this I answer, that it is requisite there should be in the House of Commons professional

set out with a seeming determination to make "a declaration of his principles," but his attachments were studiously concealed, and as he wished to conciliate all, and in part effected his purpose, he was soon placed at the head of the poll, before they were fully developed.

His lordship caught hold of the popular feeling, by observing, "that men, actuated by the dictates of conscience, who scorn to be ranked among the great paupers of the nation, and by sinecures and unmerited pensions to drain the resources of their country, may do much good, even if their abilities are small." He next seems to make a formal dis-

men as well as others, in order that information may be given on matters frequently the subject of discussion, by those who, from actual service and recent impressions, can give correct intelligence; and I answer also, that one zealous in the performance of his duty, may be of more real service to his country, than a member who (though always on the spot) is devoted to his private occupations.

"Rest assured, Gentlemen, that if I should be so fortunate as to succeed in attaining my object, you will find that I have not made propositions without a full intention to perform them.

"I shall not willingly be deficient in the personal respect I feel most anxious to shew to you individually, by soliciting your votes and interest in my favour, as far as it is in my power. Your liberality will induce you to attribute any omission to the difficulties I must encounter; which, I am confident of overcoming, supported by that independent spirit that has ever characterised the city of Westminster.

"I have the honour to be, Gentlemen,

"with the greatest respect,

"Your most obedient and very faithful servant,

Harley-street, April 29, 1807.

"COCHRANE."

avowal of all party connexions whatsoever, and apologises for his late vote against Catholic emancipation, under pretence of its "being productive of religious dissensions in the naval service." After this, he obliquely hints at his "professional life," and combats the opinion, "that a naval officer, liable to be called from his constituents, is unfit to attend to their interests, and perform his duty in Parliament," in the best manner that such an objection could be met.

On the first day of the election, the noble commander, in full uniform, addressed the electors from the hustings, in a speech which was heard with great attention, and produced considerable sensation. He accordingly outnumbered his rivals during that and several succeeding days; but by this time, a generous compassion had seized on the minds of the people relative to Sir Francis Burdett, whose life was exposed to the most imminent danger, and who remained for a considerable time unconscious of the efforts of his friends. They were reminded of the independence of his character, the integrity of his life, the zeal with which he had combated every species of abuse, whether it was corruption in one quarter of the metropolis, or tyranny, veiled under the form of justice, in another. These considerations, added to the zeal of the committee who had advocated his cause, and who, without either his privity or his purse, carried on the contest, at length produced such an effect, that his name was placed at the head of the poll.

Accordingly, on the 12th of May, the numbers for the respective candidates stood as follows :

For Sir F. Burdett,	-	1174
Lord Cochrane,	-	1085
Mr. Elliot,	-	838
Mr. Sheridan,	-	208
Mr. Paull,	-	185

On this day, the gallant Captain, who for the first time found himself in the Baronet's *wake*, instead of leading the van division as heretofore, recurred with redoubled force to the popular topics he had before reiterated, and after descanting on naval abuses in general, asked, "what they thought of purchasing the worst, instead of the best vessels for the navy, for the sake of procuring borough interest? He might lead them along the Channel to Gibraltar, and up the Mediterranean; and disclose such things as would make them shudder," &c. &c. On the other hand, it was retorted on the noble commander, that these supposed malversations were either greatly exaggerated, or never existed; and as his lordship had observed with honest warmth in the heat of debate, "that a member for a rotten borough, who spoke against abuses, must feel as if he had a dirty shirt," it was asked of him, whether "he had not given so much per man to some of the electors of the borough of Honiton?" &c. In the course of next day, on being pushed for facts to support his assertions relative to the navy, his lordship instanced the case of the *Atlante*

sloop, which he said had gone to the bottom, and added, that all the crew of the *Felix* schooner had perished, one man only excepted ;"* both of which events were produced by mismanagement. He was at the same time pleased to make some strong allusions to the conduct of a great naval officer, lately ennobled.

He also dexterously parried the question about the intercourse with the Duke of Portland and Mr. Huskisson, by stating, that he had solicited an interview on purpose to remark, "that he hoped no undue influence would be exercised on his account." As to the reproach, that he had not brought forward the abuses alluded to before, while a member of the last parliament, his lordship pleaded the state of his "health," and ended with a panegyric on the king, "who, during a long reign, had been the protector of the constitution and the people's rights," and who "must have the power of dismissing his ministers, for they would never dismiss themselves, especially with all the appendages of corruption attached to the situation."

In short, the noble lord appears to have entered into the true spirit of electioneering contests, and to have been nearly as much at home on land as at sea, amidst the bustle of Covent Garden hustings,

* It is but fair here to state, that a letter was read next day on the hustings, from Commodore Keate, addressed to Earl St. Vincent, taking the whole of the accusation upon himself, and denying the positions alluded to.

as in the thick of an engagement. But what is not a little wonderful on this occasion, is the fact, that all the candidates, or their friends, one only excepted (Mr. Elliot), professed a similarity of principles with Sir Francis, and actually requested to be *taken in tow* by the partizans of the Baronet.

At length, after a memorable struggle, the poll concluded, and the following was declared to be a true statement of the numbers :

For Sir F. Burdett,	-	5134
Lord Cochrane,	-	3708
Mr. Sheridan,	-	2615
Mr. Elliot,	-	2137
Mr. Paull,	-	269

The subject of this memoir was accordingly seated for the second city in the kingdom, at a very trifling expence, and began soon after to endeavour to realize his promises to his constituents. His lordship, accordingly, on June 7, 1807, made a motion relative to the state of the navy, for the purpose of adducing certain charges against an admiral, who had lately commanded the Channel fleet. On this occasion, several of the most distinguished officers in the sea-service differed from the noble lord, and as he was not supported by the ministers, nothing was effected.

One part of his conduct, however, appears to have been highly meritorious, we mean the motion of July 7, 1807, for a committee "to enquire into, and report to the House of Commons,

1808-1809.

x

a list of all the members and their relations, holding sinecures, pensions, &c." After this had been modified, it was agreed to by Ministers, and a return has in consequence been lately made to parliament.

Soon after this, his Lordship once more resumed the exercise of his professional talents. Having been appointed to the command of the *Imperieuse*, formerly *La Médée* of forty guns, after cruising for some time, he placed himself under the command of Lord Collingwood. The squadron was then employed in blockading the port of Cadiz, and checking the exertions of the Spaniards. But no sooner did that nation evince a wish to throw off the odious yoke of France, than the most cordial assistance was afforded.

It is not in the power of the captain of a frigate to perform much, but Lord Cochrane did every thing that could be affected by a single ship, and appears to have at once merited and acquired the praise of the commander in chief. Happening to be on the coast of Catalonia, he determined to rescue the castle of Mongal, which commands an important post between Barcelona and Gerona, from the common enemy. Accordingly, on the 31st of July, 1808, he carried that place, which was destroyed, as soon as the military stores could be delivered over to the patriots. The following is the account published by authority:

“ Copy of a letter from Vice-admiral Lord Collingwood, Commander in Chief of his Majesty's ships and vessels in the Mediter-

ranear, to the Hon. W. W. Pole, dated on board the Ocean at Gibraltar, Aug. 27, 1808.

SIR,

I inclose for the information of the Lords Commissioners of the Admiralty, the copy of a letter I have received from Lord Cochrane, captain of his Majesty's ship the *Imperieuse*, giving an account of the surrender of the Castle of Mongal (a fort on the coast of Catalonia, in possession of the French), to his Majesty's ship under his command, which his lordship had subsequently destroyed, after having delivered the principal part of the military stores to the Spanish militia.

I have great pleasure in transmitting this information to their lordships, as it points out one of the many instances in which his Majesty's ships on the eastern coast of Spain have rendered effectual aid to the patriot Spaniards, in resisting and driving the enemy out of their country, and of the zeal and indefatigable industry with which Captain Lord Cochrane engages in that service.

Captain Otway of the *Montague*, landed at Rosas Bay, a party of marines in aid of the Spanish peasantry, to oppose a French force which was approaching to attack that fortress on the 23d ult. and obliged the enemy to retire. I am, &c.

COLLINGWOOD.

His Majesty's ship *Imperieuse*, off Mongal,

MY LORD,

31st July, 1808.

The Castle of Mongal, an important post, completely commanding a pass in the road from Barcelona to Gerona, which the French are now besieging, and the only one between those towns occupied by the enemy, surrendered this morning to his Majesty's ship under my command. The Spanish militia behaved admirably, in carrying an outpost on a neighbouring hill. Lieutenant Hone, with the marines, took possession of the castle, which, by means of powder, is now levelled with the ground. The rocks there are blown into the road, which in many other places is rendered impassable to artillery, without a very heavy loss of men, if they determine to repair them.

I inclose to your Lordship a list of the prisoners and of the material part of military stores; all that could be of use to the Spanish militia have been delivered to them.

I have the honour to be, &c.

Right Hon. Lord Collingwood,
Commander in Chief, &c.

COCHRANE.

One captain, one lieutenant, two serjeants, eight corporals (seven wounded), five gunners (two killed), and fifty-four soldiers. Total seventy-one.

Five cannon, eighty muskets, eighty bayonets, eighty cartridges, five hundred cannon-balls, thirteen barrels of powder, and cartridges, &c.

Copy of a letter from Rear-admiral the Honourable Sir Alexander Cochrane, K.B. Commander in Chief of his Majesty's ships and vessels at the Leeward Islands, to the Hon W.W. Pole, dated on board the Belleisle, St. John's Roads, Antigua, 6th of August, 1808.

SIR,

I have great pleasure in inclosing, for the information of the Lords Commissioners of the Admiralty, the copy of a letter from Captain Beaver, of his Majesty's ship *Acasta*, acquainting me with the capture of a very fine French corvette, of sixteen twenty-four pounder carronades and two long sixes. It is my intention to take her into the service, and name her the *Pert*, until their Lordships' pleasure is known. I have the honour to be, &c.

(Signed)

ALEX. COCHRANE.

3.—THE HON. REAR ADMIRAL

SIR ALEX. FORRESTER COCHRANE,

KNIGHT OF THE BATH, &c.

THE subject of this memoir was born about the year 1748. Being intended for the sea service,

which appears to have been a favourite profession in this family, he passed through all the intermediate stations of midshipman, lieutenant, and commander, and in 1782 was made *post*. In the course of the next year, he married the widow of a baronet, by whom he has had issue three children.

During the interval of peace that followed the conclusion of the American contest, Capt. C. spent much of his time with his family; but no sooner did a new war with France take place, than he offered his services, and was immediately employed.

In 1800, we find Captain Cochrane serving on board the fleet commanded by Admiral, now Lord Keith. Having anchored before the port of Cadiz, on the 6th of October, Don Thomas de Morla, the governor, immediately addressed a letter to the British commanders by sea and land, in which he was pleased to express his surprise at the arrival of a hostile squadron during the prevalence of a pestilential disease, which, according to him, carried off thousands of victims, and threatened not to suspend its ravages until it had cut off all those who had hitherto escaped.

"I entertain too exalted an opinion of the English people, and of you in particular," adds he, "to think that you would wish to render our condition more deplorable. However, if in consequence of the orders your Excellency has received, you are inclined to attract the execration of all nations, to cover yourself with disgrace in the eyes of the whole universe, by oppressing the unfortunate, and attacking those who are supposed to be incapable of defence; I declare to you, that the garrison under my

orders, accustomed to behold death with a serene countenance, and to brave dangers much greater than all the perils of war, know how to exhibit a resistance which shall not terminate but with their entire destruction. I hope," continues the gallant general, "that the answers of your Excellencies will inform me, whether I am to speak the language of consolation to the unfortunate inhabitants, or whether I am to rouse them to indignation and revenge."

To this noble letter, worthy of the Spanish name, in 1808, and far more analogous to the character of the nation, at the present than at the period here alluded to, a joint reply was made by Sir Ralph Abercromby and Lord Keith, in which, after expressing great compassion for the deplorable state of the city of Cadiz, they observed,

"That a number of his Catholic Majesty's vessels were armed, in order to join the naval forces of the French, and to be employed in prolonging the troubles which afflict all the nations of Europe, disturb public order, and destroy the happiness of individuals. We have received orders from our sovereign," added they, "to use every effort to defeat the projects of the common enemy, by endeavouring to take and destroy the ships of war which are in the harbour and arsenal of Cadiz. The number of troops entrusted to our command leaves but little doubt as to the success of the enterprise. We are not, however, disposed to multiply unnecessarily the evils inseparable from war. Should your Excellency therefore consent to give up to us the vessels armed or arming, in order to act against our king, and to prolong the misfortunes of neighbouring nations, your crews and officers shall be at liberty, and our fleet shall withdraw; otherwise, we must act conformably to the orders which have been given to us, and your Excellency cannot attribute to any other than yourself, the additional evils which you fear."

These humiliating terms were immediately rejected with all the generous indignation of a man determined rather to perish than to dishonor himself; he, therefore, protested against "a proposal insulting to the person to whom it was addressed, and but little honorable to those who made it."

While Don Thomas was preparing for the defence of the place, the plan of an attack was agreed upon on board the *Foudroyant*, and communicated to the squadron. Accordingly, every thing was prepared for effecting the landing of the troops, the first division of whom, amounting to 5133 men, were to have been embarked on board a hundred and two boats, under the direction of Captains Stevenson, Morrison, Lennox, and Ayscough, while Captain Cochrane, as the senior officer, was to have superintended the whole.

But in consequence of the interposition of the elements, this plan was luckily frustrated; we say *luckily*, for it would have been a service of extreme danger, to have attacked a gallant commander, with troops reduced to despair, by the peculiarity of their situation; while the risk of infection, in case of either defeat or victory, would have been alike imminent. On the other hand, the siege of Cadiz, at that particular period, could not have added any honor to the British name or British arms, while it might have excited the whole body of the nation, in opposition to us, and prevented that cordial co-operation against the common enemy, which has since happily occurred.

After this, the English fleet and army, which had been some time coasting along the shores of the Mediterranean in quest of adventures, wintered partly at Malta, which had just surrendered, and partly at Minorca, another of our recent conquests. At length an object worthy of our arms united them once more during the spring of 1801, for having assembled at Marmorice on the 29th of February, they descried the Arabs tower, anchored in Aboukir Bay, and commenced the conquest of Egypt. On this occasion, Captain Cochrane was once more appointed to superintend the landing, which was accordingly effected in boats, supported by gun-brigs, armed launches, and cutters. Notwithstanding the "amphitheatre of fire," to which they were exposed, the business was effected with equal order and gallantry; a battle was fought a few days after, in which the French were conquered; Cairo was also forced to submit to the British arms, and finally, the same troops, supported by a detachment of armed vessels on the lake, under the command of the subject of this memoir, produced the surrender of Alexandria, and thus put an end to the war in Egypt, on the 30th of August, after a campaign of five months, three weeks, and a day.

Having distinguished himself by his gallantry and activity during the former war, Captain Cochrane, soon after the commencement of the present, obtained a command. Being included in the list of Rear-admirals of the blue, at the promotion

which took place in 1804, he hoisted his flag on board the Neptune of 74 guns, and was employed during a considerable time, in blockading the port of Ferrol, with a view of ensuring the neutrality of Spain. In 1806 we find him serving in the Northumberland, in which ship he visited the Leeward Islands, as Commander in Chief, and when Sir John Duckworth chased the French fleet to the West Indies, he received the immediate assistance of the Rear-Admiral, whose ship was placed next to the Commander in Chief's, in the weather division.

Having discovered the enemy's fleet at anchor, off the town of St. Domingo, in the island of Hispaniola, the necessary dispositions were made for an attack, on which the French squadron cut cables, and endeavoured to escape, but the following ships were fortunately intercepted, viz.

1. Le Vengeur of 100, commonly stated at 120 guns, commanded by Rear-Admiral Le Siegle destroyed.

- | | | | |
|----------------|---|---|--------------|
| 2. Le Diomedé | - | - | 74 destroyed |
| 3. L'Alexandre | - | - | 84 captured |
| 4. Le Jupitre | - | - | 74 ditto |
| 5. Le Brave | - | - | 74 ditto* |

It appears from the account published in the

* The following vessels escaped, viz.

- | | | | |
|---------------------|---|---|---------|
| 1. La Félicité | - | - | 44 guns |
| 2. Le Comète | - | - | 36 |
| And 3. La Diligente | - | - | 16 |

Gazette, "that the fire of the Vengeur had been heavy on the Northumberland, bearing the Hon. Rear-Admiral Cochrane's flag."

"When I contemplate," adds Vice-Admiral Sir J. T. Duckworth, "on the result of this action, when five sail of the line had surrendered, or were apparently destroyed in less than two hours, I cannot, though bound to pay every tribute to the noble and gallant efforts of the Hon. Rear-Admiral Cochrane, Rear-Admiral Louis, the captains, officers, seamen, and marines, under my command, be vain enough to suppose, that without the aiding hand of Providence such result could have been effected, and with a loss so comparatively small."

During this conflict, the Northumberland lost her main-mast, and was so shattered, that the Agamemnon was ordered to stay by, and accompany her to her station, after she had been refitted.

On the intelligence of the victory in England, the Park and Tower guns were fired, and an unanimous vote of thanks passed both Houses of Parliament to Sir John Duckworth, Admiral Cochrane, &c. Both these officers, nearly at the same time, received the freedom of the city of London, while the former was presented with a sword of two hundred guineas value, and the latter with one of one hundred guineas. In addition to this, the subject of the present memoir, then rear-admiral of the white, was created one of the knights companions of the most noble order of the bath, March 29, 1806.

During the same summer, a quadron, commanded by Jerome Bonaparte, escaping from Europe, stole into Martinique, and Sir Alexander Cochrane, who had intimation of its approach, was unfortunately

prevented from intercepting it, in consequence of the loss of his main top-gallant mast. On the departure of the enemy, although his ship was still in want of repair, he immediately followed them, in the direction of the Island of St. Thomas, when they were found to consist of five seventy-fours and one eighty-four, while his own force was far inferior, being only three seventy-fours and one sixty-four.* Had a favourable opportunity, however, offered, the British commander would assuredly have brought them to action.

Since this period, the Admiral has been chiefly engaged in the reduction of the Danish islands, in annoying the little trade still remaining to the French in the West Indies, and in checking the

* *British squadron.*

1. Northumberland	Rear-adm. Sir A. Cochrane	74 guns
2. Canada	-	74
3. Elephant	-	74
4. Agamemnon	-	64

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French squadron.

1. Foudroyant	-	84 guns
2. Veteran	-	74
3. Hazard	-	74
4. Patriote	-	74
5. L'Eole	-	74
6. L'Impetueux	-	74

Guns 454.

Thus it appears that the French had the advantage of 168 pieces of cannon.

depredations of the privateers, many of which have been captured by him.

Sir Alexander formerly represented the Scotch district of boroughs, consisting of Dumferline, Stirling, Inverkeithing, Culross, and Queensferry in 1801; he was included in the double return to the second Imperial Parliament (Nov. 12, 1802), the votes having been apparently equal, and on a reference to a committee, he was declared duly elected, while his rival, Sir John Henderson, was foiled. He triumphed, however, in his turn, in 1806, notwithstanding a petition from Sir Alexander and others.

In 1783, the Admiral married Lady Wheate, widow of Sir Jacob, by whom he has had issue three sons and two daughters. One of the former, like the father, was bred in the navy, and is now a post captain. Having been annoyed, while cruising off Porto Rico, by a small fort, he sent his first lieutenant on shore, who stormed and took it, soon after which the powder magazine blew up.

4.—THE HON. A. C. JOHNSTONE.

THIS gentleman, who is the fourth brother of the Earl of Dundonald, was born about the year 1750, and bred to the profession of arms. While a major, he became a candidate, and was returned for the boroughs of Inverkeithing, Dumferline, &c. to the seventeenth parliament of Great Britain, con-

voked in 1790. In 1793 he married Lady Georgiana, a daughter of the Earl of Hopetoun, by whom he had a daughter. On this occasion he assumed the *addendum* of Johnstone, obtained the rank of lieutenant-colonel in the army, and was appointed governor of the island of Dominica in the West Indies. On this he resigned his seat in parliament, and a new writ was ordered March 31, 1797.

At that period the war with France, the exertions of that country in the West Indies, and what was still more dreadful to the English planters, the total abolition of slavery, by order of the new republic, rendered the situation of the island alluded to above, not a little critical.

Dominica is so situate as to be commanded both by Martinico and Guadaloupe, and when it is recollected that the negroes in this little mountainous colony, then amounted to twenty thousand, it will be allowed, that a large quantity of combustible materials had been collected within a very narrow space.

Governor Bruce, actuated by a very commendable policy, had sent a message by an old female slave, to the celebrated Farcelle, a French negro, who had fled to the woods, whither he had been joined by many runaways, &c. The late chief justice Matson, while president of the council, insisted on keeping the public faith unsullied with this chief, who, having been allured by the most solemn promises from the fastnesses, in consequence

of this interposition, at length obtained certain lands according to the stipulations agreed to.

During the residence of Governor Johnstone, however, this capitulation is said to have been once more violated,* in consequence of which, Farcelle was sent out of the island ; but this, we believe, was with the full and entire consent of the representative body, which we have been told immediately seized on the lands recently granted.

During this gentleman's stay at Dominica, he had some disputes with the assembly, which is said to have transmitted a petition to the King and Council against him ; but we believe he was recalled, not on this account, but in consequence of a mutiny in the West India regiment commanded by him.

Previously to his return, he formed a matrimonial alliance with a rich Creolian heiress, Mademoiselle Clugny Guadet, daughter of the late Baron Clugny, and nearly related to the consort of Bonaparte, who possessed several large plantations in the neighbouring island of Martinico. Soon after his departure, the marriage was formally dissolved by the simple *fiat* of the French governor, in consequence, no doubt, of orders from home, and immediately on his arrival in England, the subject of this

* It had been stipulated, on the part of this unhappy man, who was unfortunately a *French negro*, that he should hunt down, reclaim, and return all runaway slaves to their masters ; but being upwards of sixty years of age, he was perhaps unable to perform this.

brief memoir was tried on certain charges before a court martial assembled at Chelsea Hospital. On this occasion, the colonel is allowed to have acquitted himself with great ability, both in the cross-examination of the witnesses, and in the speech made before the military tribunal just alluded to.

None of the charges having been proved by the prosecutor, he was, of course, "honorably acquitted." Notwithstanding this, he was deprived of his battalion, &c. which was deemed a grievance by the public in general, partly on account of his own representation in a spirited pamphlet, and partly in consequence of the animadversions of Mr. Cobbett, who attacked a personage in a high military situation, on that account.

Meanwhile, Mr. Cochrane Johnstone loudly and repeatedly protested against his exclusion, and after having, as has been said, solicited two hundred members of the former parliament in vain, to present a petition to the House of Commons, Mr. Whitbread undertook that office, but without effect.

Meanwhile, the late cabinet having been dissolved, and a general election taking place, the ex-governor,* accompanied by his brother,† presented himself to the electors of Grampound, who

* The Hon. G. A. Cochrane, was formerly lieutenant-colonel of the 87th regiment of foot. Another brother (Basil) has lately returned from India, with an immense fortune.

† Several of the electors of Grampound first applied to Sir Francis Burdett, who declined to become a candidate: they then begged him to recommend two of his friends.

had determined to assert their independence. Accordingly, after a struggle which is said to have been accompanied with an expence but little greater than the cost of a corporation dinner, they polled twenty-seven votes each, to thirteen on the part of Messrs. Parry and Williams, and were returned by the proper officer.

In August, 1807, the colonel spoke in favour of an enquiry into the situation of Ireland; but what chiefly attracted the public attention, was a variety of motions relative to the sale of commissions, the state of the compassionate fund, &c. which were considered as prefatory to an appeal relative to the hardship of his own particular case; but this, in consequence of circumstances wholly unconnected with it, has never since been either argued or decided upon.

In 1807, the ex-governor returned to the West Indies, where he possesses a considerable property.

GOVERNOR CLINTON.

IT has been frequently observed, that in political contests the lawyers have always been the foremost in the race of freedom. Whether this proposition be granted or not, certain it is, that the fact was fully exemplified in America. At the commencement of the colonial war, the tyro and the practitioner, the youth as yet *ungowned*, and the barrister grown hoary in practice, rushed with equal

ardor into the field, and wielding sometimes the musket, sometimes the halbert, and sometimes the truncheon, fought and bled, in what they considered to be the battles of patriotism, and their country.*

True it is, that by the events of the times they had become destitute of a profession, for unhappily, where arms prevail, the laws are silent :

INTER ARMA SILENT LEGES.

Yet, nevertheless, but little was to be gained in the ranks of an army, appertaining to a new state, which had thought fit to declare itself independent. Fatigue and wounds, added to long marches and a scanty supply of provisions, were the companions even of success, and in case of defeat, conquest, subjugation, and all the pains and penalties attendant on treason, certainly awaited them. They were too enlightened a class of the community not to be fully aware of all this, and as the risk, therefore, was so much greater than the advantage, it is but fair to augur, that their motives were pure, and their intentions honourable.

* To mark the difference between young and old governments, it is only necessary to repeat three lines, written by the celebrated Arthur Murphy about this very period, in which he satirises a certain class of English lawyers, as betaking themselves to pursuits of a very dissimilar kind :

“Not ev’n attornies have this rage withstood,
But chang’d their pens for truncheons, ink for blood,
And, sad reverse ! died for their country’s good !”

1808-1809.

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*George Clinton, Vice-president of the United States, is a native of New York, and is now about sixty-nine years of age. He is the younger son of a British governor of that name, who governed this colony about the middle of the former century. We know he has an elder brother James Clinton, who, as well as George, was a General in the American army in the war of Independence; but the celebrity of the younger brother in this case has been so much superior to that of the elder, that when in that country they mention the name of Clinton, it always designates *George*; and it is not necessary, as in the case of Adams, to prefix the christian name.

George Clinton was bred to the law, which he practised with reputation before the celebrated contest broke out in 1775. On this he left the bar, took an early and decided part in the military service of his country, and was raised almost immediately to the rank of General. In this station he distinguished himself in the two first campaigns. The measure of independence was declared in 1776, and the several provinces had then their respective constitutions to frame. In this work too, particularly in the State of New York, Clinton took a leading part; and when the code was organised in 1777, he was chosen governor. This was the first time that the chief magistrate of that province had

* This article was composed by an American citizen of considerable celebrity in Europe.

been elected by the people; the governor then, as in most of the other colonies, having been before designated by royal nomination.

It is no small praise to Mr. C. that, from the year 1777 to this day, he has never ceased to unite the suffrages of his fellow-citizens for that office, except when he has signified, by a public declaration in the newspapers, that he should decline to serve. After he had been chosen without intermission for eighteen years, he gave notice that he must withdraw on account of ill health.

This occurred in 1795, and the people elected John Jay for his successor. That gentleman continued to serve for six years, when he likewise declined further service; and Mr. Clinton, whose vigour was now restored, was re-chosen in 1801. He then served three years; and in 1804 gave notice again that he would exercise that office no longer. The people then nominated Mr. Morgan Lewis; and Governor Clinton has been since chosen Vice-president of the Union, which place he now holds.

The States of America, in their individual capacity, have no foreign relations; that branch of their public business being confided to the general government; so that the office of chief magistrate in one of those grand divisions of the empire, although very honourable, as being conferred on a simple citizen by the free votes of an intelligent and scrutinizing people, is rather laborious than splendid. Its *eclat* can scarcely reach across the

Atlantic, although it may be dignified by the exertion of every virtue and every talent. In short, its exercise may have an energetic influence on the industry and happiness of a considerable portion of our fellow-creatures, while its existence scarcely comes to our knowledge.

In no part of America, and therefore in no part of the world, have the improvements of society been more rapid within the last twenty years, than in the State of New York. That state, within this period, has not only trebled its population, and decupled its wealth ; but it has meliorated its civil, political, literary, scientific, and republican institutions, in a very extensive ratio. This can only be perceived by comparing their present situation with the low and discouraging condition they were in at the close of the war.

It is not our business, in this biographical sketch, to give a detailed account of these events ; for we shall not pay so poor a compliment to the good sense of the people, as to suppose that these meliorations are owing altogether to the governor. But we find them carrying on *during* his administration (not to say *under* it) ; and wherever voluntary associations have been set on foot for laudable purposes, disconnected with the government, we always find his name among the foremost of the patrons, encouragers, and founders.

His military career, while acting under the general government of the United States, was short, and happened during the two first campaigns.

when the American forces, unprovided and unorganised, were every where unfortunate, and generally defeated and discouraged, so that we find no one brilliant achievement in which he took a part.

But as governor of the state, and by virtue of that station, commander in chief of its militia, we observe him frequently in the field; especially during the double invasion of that state in 1777, by General Burgoyne from the north, and Sir Henry Clinton from the south. The project of those two Generals, one marching from the upper waters of the Hudson, and the other from its mouth, was to penetrate the province by the channel of that river, and meet in the centre. It was near this very centre, at New Windsor, that the governor assembled the militia of his state, garrisoned the strong posts in the highlands, and made additions to the works.

The identity of his name, with that of the southern British General, proved fatal to one of the spies of Burgoyne. This man, who was an American and knew the country, was sent by his General to carry a letter to Sir H. Clinton, whom he expected to find already arrived with his army in the highlands. He made his way very well; and might, with the same facility, have proceeded to New York, whence Sir Henry had scarcely yet departed; but in passing near the highlands, and enquiring for the camp of General Clinton, he was directed to New Windsor, where, on being conducted to headquarters, he desired to speak with the commander, to whom he was immediately presented, neither his

conductor nor himself having the least suspicion of the mistake, till he came into the tent. Here the poor fellow, who knew Sir Henry's person, perceived his error ; and, turning his head aside, 'he was seen to put something in his mouth, which, being half choked with terror, he swallowed with difficulty. The General, on examination, perceived at once how the man had mistaken his way, and ordered an emetic to be given him, which brought up a small silver bullet which they found to be hollow, and to contain a letter from Burgoyne to his colleague, short indeed and laconic, but unhappily for the bearer, sufficient to condemn him as a British spy in the American camp. The letter, disguised in French, was in these words ; "*Je suis ici, dépêchez vous !*"

Governor Clinton has been much afflicted with bad health during the greater part of his public life, doubtless owing, in no small degree, to the great and unremitted application to business, which the faithful discharge of his duty has required. We hope his present situation as Vice-president, whose functions will occupy him but a small part of the year, and then prove much easier in the discharge than these to which he has been accustomed, will press less heavily upon his constitution, and prepare for a comfortable old age, so as to enable him long to enjoy the consoling retrospect of services conferred on his country.

SIR SAMUEL ROMILLY,

EX-SOLICITOR GENERAL.

WHILE the navy and army defend the nation from a foreign enemy on one side, the constitution and the laws are intended to protect us from civil tyranny and domestic oppression on the other. Our common country, ever grateful, reserves honours for them all, and rewards each in a manner at once distinct and appropriate. On the men of the *sword*, are conferred the shining ornaments of stars and ribbands; for one* of the orders of modern chivalry, either is, or ought to be, reserved exclusively for them; while appellations, commemorating the battles which they have gained, proclaim their deeds to the latest posterity. To the men of the *robe*, appertain recompences of a different kind. The two chiefs of the common law and chancery courts have, of late years, been usually ennobled: the other judges possess titles, although of an inferior degree; all have been admitted to the dignity of the *coif*, while their *costume* confers an air of gravity; becoming those men, who, at one period of the year sit in judgment on the lives and at another decide on the properties of their fellow subjects. Descending along the *legal hierarchy*, we find the boundaries of the respective ranks marked out and designated by scarlet, taffeta, and stuff, while the wig, by the peculiarities of its shape and make, is

* The Bath.

made to point out, as if by a telegraph, all the various degrees of dignity, from the "puisne judge," to the "utter barrister."

That the bar is the slow, but certain road to honour, in this country, when talents are united with industry, and opportunity is happily afforded for the display of both, is a fact generally known: nay more, the fate of most of our counsel is early prognosticated, and their future designation in some measure settled by their own contemporaries. When a barrister of promise, such as Erskine once was, appears above the political horizon, his orbit is calculated and pointed out with the same nicety as that of a comet: his fellows look up to him with respect, clients flock around, friends multiply offers of service, and attornies besiege his chambers with briefs!

Some, and but few, like the "silver-tongued Murray," unite all the graces of elocution with the dry study of municipal jurisprudence; others, like Thurlow, rely on their native powers, and a certain bluntness of demeanour, which confers an air of originality; a third class, and here indeed the number is limited in the extreme, and the race appears to be nearly extinct, forming themselves, like Dunning, on the great models to be found in the history of our own jurisprudence, become constitutional lawyers, and soaring above all little groveling considerations, at the bar maintain the principles advocated by our ancestors, and in the senate both speak and vote in support of that freedom which has made us a great, and can alone make us a happy, people.

Sir Samuel Romilly, in the same manner as his precursors, Hardwicke, Kenyon, and Ashburton, has been the architect of his own fortune. Like them too, he affects not to look up to what depends merely on chance, and can be conferred by no merit of his own; but with these he aspires to, and will in all probability become, the founder of a family. It is the custom of the vulgar herd of biographers, to lean towards great names, and to build a foundation on high birth, illustrious alliances, or ancient descent: but those who are desirous to instruct as well as to amuse, will readily search for, and find another inlet to respect, and a better claim to admiration.

The family of the subject of this memoir has been closely and intimately connected, for more than a century, with whatsoever appertains to civil or religious liberty. By one side, his ancestors consisted of those persecuted men, who, preferring conscience to affluence, in consequence of the revocation of the edict of Nantz, were driven from France by Louis XIV., at a period when no longer alive either to the love of justice or of glory, his couch was surrounded by a mistress and priests equally bigotted, and he consented in an evil hour to the expulsion of the Protestants. By the other side, he is connected with the little republic of Geneva, which, uniting a love of freedom with an attachment to the manual arts, became a model of all that was admirable in society, until unmercifully swallowed up by the devouring despotism of imperial France.

His father, who was an ingenious man of great eminence* in his art, conferred on him a good education ; all the rest has been achieved by himself. Having been destined for the law, he was brought up expressly for that purpose. Happening to be placed under a respectable gentleman in the Six Clerks Office, the latter soon discovered that his pupil possessed more than ordinary talents ; and he accordingly advised young Romilly to enter his name as a member of one of the inns of court. This is a mere matter of course ; for the *Apprenticii ad legem*, as the students were formerly termed, are no longer subject to *mootings*, and no longer troubled with attending *readings* on certain abstruse statutes. Money is now the only thing requisite, for with this any person of decent character is sure of being admitted to the bar, and without it, all the precision of a Buller, all the integrity of a Pratt, and all the keen-eyed sagacity of a Mansfield, would prove unavailing.

Mr. Romilly accordingly received a "call," after the lapse of the usual period, on paying the usual fees. His wig and his stuff gown were exactly like those of every other barrister ; but there was something under both, that soon distinguished him from the herd. In the law, nothing can be effected without industry ; this he possessed in no common degree ; yet labour will be of but little avail without

* He was many years jeweller to the king, and resided in Broad-street.

genius: this has been frequently and powerfully displayed by him.

In the practice of the Old Bailey, we have never heard his name once mentioned, nor do we recollect at *Nisi Prius*, to have seen him brow-beating an evidence. This fashionable introduction to modern practice has made the fortune of more than one advocate, but it requires a certain happy unblushing cast of countenance, while its merits are equivocal in the extreme; we have indeed perceived a reluctant witness, writhing under the lash, and obliged to *disgorge* the truth; but we have also beheld an honourable man put to the blush, and a lasting wound inflicted by this two-edged swordy which, in unskilful hands, is calculated to destroy both the innocent and the guilty.

We wish it had been possible to state the first* suit in which Mr. Romilly was engaged, or at least that in which he first distinguished himself. In the history of memorable men, a trifling event constitutes an epoch, and the writer of the life of Lord Coke has been eager to record, that he early evinced a promise of his future celebrity in the "Cook's case."†

It may be sufficient for our purpose, however, to state, that Mr. Romilly directed his attention to the Chancery bar, and soon attained considerable

* About the year 1796, Mr. R. acquired great celebrity, as the counsel for Mr. Gale Jones, who was tried for sedition at the Warwickshire assizes.

† The Cook of the Inner Temple.

eminence in the slow, but pretty certain road to opulence—that of a respectable equity draftsman. He also went the midland circuit, and his rising fortune beginning to be *buzzed* about, his practice augmented apace.

It is a well-known fact, that the late Marquis of Lansdowne was not only himself a man of uncommon talents and penetration, but endowed with a certain peculiar faculty of discovering these qualifications in others. This rare gift—for such it certainly is—was particularly displayed at an early period, in the choice of his associates, as the names and reputations of a Barré, a Baring, a Dunning, &c. &c. fully attest. Nor did his sagacity fail on the present occasion; for many years since, Mr. Romilly was selected by his lordship from the crowd of young barristers, invited by him to his house, and admitted to his friendship. Accordingly, during the long vacation, he was a constant visitor at Bow Wood, the summer residence of that nobleman, and generally repaired thither in company with Mr. Jekyll.

Having acquired those habits which usually promote both health and success in life, the subject of this memoir, in Wiltshire as well as in town, was accustomed to rise early, and he was accordingly seen frequently, by peep of day, strolling along the groves which adorned that beautiful and now neglected spot just alluded to, sometimes contemplating the scene around him, but more frequently

with a book in his hand, in order to catch those moments for improvement, which others too often waste in indolence.

It was there too, that he first saw his present wife: she was then Miss Garbat, the daughter of a gentleman who had acted, many years ago, as Secretary to the Marquis, when Earl Shelburne, and a Minister of State.*

Meanwhile, the declining health of Mr. Romilly, in addition to a longing desire to visit foreign countries, made him resolve to make a tour on the continent. He accordingly passed through France, which then only began to display revolutionary symptoms, and spent some time at Geneva. Thence he proceeded to Switzerland, which at that period enjoyed a state of uninterrupted happiness and tranquillity, with an exception of some trifling disturbances in the *Pays de Vaux*, a country governed by the Bernese, with a degree of rigour that afterwards proved fatal, not only to their own liberties, but to those of all the Helvetic body.

At length, after refreshing his mind by foreign travel, and acquiring a knowledge of the world; our young lawyer returned to England, married the woman of his choice, by whom he has a numerous family, set himself down steadily to his legal labours, and was soon looked up to as a shining ornament of his profession. There is no instance, perhaps;

* Her brother, lieutenant-colonel G. of Knill, in the county of Hereford, has lately taken the name of Walsham.

of such a rapid career, or such a sudden acquisition of practice. But the times proved favourable to him, for Sir John Scott was promoted to the wool-sack, and the chancery bench, while Mr. Mitford became, first, Speaker of the House of Commons of England, and then Chancellor of Ireland.

Having always exhibited a marked attachment to constitutional liberty, Mr. Romilly, who had by this time obtained a silk gown, with a patent of precedence, was at length selected as a fit person to fill the office of Solicitor General. Accordingly, when Mr. Fox and Lord Grenville, by a strange fatality, came into power together, he was nominated to that office in the beginning of 1806; and having accordingly succeeded Sir Vicary Gibbs, was immediately *dubbed*, knighthood being now considered a necessary appendage. It has been asserted, that he was at one time intended, *per saltum*, to have been nominated chancellor, and assuredly his extensive knowledge of the practice of the court would have admirably fitted him to preside in it.

It now became necessary that he should have a seat in the House of Commons, and he was accordingly brought in for Queenborough. Notwithstanding the laborious and almost incessant attention required by his profession, both at Westminster Hall and in his chambers in Lincoln's Inn, Sir Samuel determined to discharge his duties as a member of Parliament, with that discrimination and energy peculiar to himself. Perceiving in the course of his practice, that a number of creditors were in certain

cases deprived of their just demands by the intervention of the law relative to landed property, he resolved to attempt a remedy. Accordingly, on the 25th of March, 1807, he obtained leave to bring in a bill "for making the freehold estates of persons liable to the bankrupt laws, who might die indebted, assets for the payment of their simple contract debts."* This proposition was seconded by Mr. Attorney General (Sir Arthur Piggott), and supported by the following speech, which was heard with a marked attention.

"Mr. Speaker,

"Gentlemen are aware, that by the law of England a man seized of a freehold estate might contract debts to any amount without subjecting that fee to the responsibility of the debts incurred, provided the debtor had passed no securities under seal. Book debts and bills of exchange, which were not under seal, it was unnecessary to say, did not affect freehold estates. If, then, a man, owner of a freehold estate, of extravagant habits, and of that unmeaning profusion that prompted him to be rather generous than just, should die indebted to one or more creditors in an enormous amount, and instead of having left sufficient means to satisfy their just demands, should, with a caprice worthy of his prudence, have transferred to some unknown undeserving heir that entire estate which was the source of their confidence, and ought to have been their remuneration, he appealed to that House, what must be the sentiments of such an injured body of men as the creditors in such a case?

"No matter how wanton or capricious the will itself that con-

* We have some reason to think, that there was once something of this nature before attempted, but without effect, by the late Charles Ambler, Esq. Attorney General to the Queen.

stituted the heir. His title in *law* is indisputable to that property, which, in common *justice*, ought to have been another's. He may look with indifference upon the claims of creditors, who have, unfortunately for themselves, founded them upon no stronger principle than the honour of their debtor; but it is not for the legislature of a great commercial country to look with indifference upon any measure that tends to shake the generous confidence which is the support of British credit and the pride of British commerce—nay were even the law itself not objectionable, still the abuses of which it has been productive would sufficiently warrant this abolition.

“He regretted that there had occurred within the recollection of the present age, so many instances of men possessed of freehold estates, who, finding themselves overwhelmed with an accumulation of debt, had resolved upon the desperate alternative of depriving themselves of existence, and thus, by a sort of posthumous injustice, put out of the reach of their creditors every possible means of redress or recompence. Strange as it is that such a rule should exist in any country, it is still more unaccountable that such a rule should be peculiar to this country.

“On the continent heirs are subject to the debts of those from whom they inherit, and grateful is it to observe the pious industry of their efforts to redeem the faith they justly conceive to have been pledged by those who had held before them. In Scotland this rule is not entirely recognised—why it continued in force in England down to the present day, was what he found it difficult to account for. To trace its origin it was necessary to recur to the feudal times, when allodial property was annihilated, and that in order to secure any it was necessary to hold it of a superior liege—the relations between the vassal and the lord rendered all alienation of property impracticable, until after the gradual relaxations from the strictness of this rule, the owner was allowed to relieve half his property, and subsequently the whole. The statute of the 13th of Edward the First, called from its two commencing words the statute of “*Quia Emptores*,” was enacted for the purpose of checking the then progressively increasing system of subinfeudation, so that the law may be now said to have,

survived for five hundred years the reason that produced it; and therefore to have been for five hundred years, if not mischievous, at least, useless, and yet (not what all useless laws should be) obsolete.

“ He could not help remarking upon the inconsistency of this law, loose, when it was so desirable it should be strict, and in other respects rigid to a degree, bordering upon severity almost censurable. In the case of personal goods, and all species of chattel interest, the operation of this law in enforcing the payment of debts was known to be summary, decisive, and efficient. He could not say much in favour of the impartial application of that law which, whilst it screened the freehold estate of the idle, the dissipated, or dishonest debtor, gave up the person and property of his perhaps struggling creditor to all the fatal consequences of some unforeseen vicissitudes of trade the little he had (his all) to bankruptcy, and himself to the moral as well as physical contagion of a gaol, where he is doomed to linger out the wretched remnant of his days in unavailing sorrow, unless restored to the world by one of those rare instances of the interposition of the legislature, to mitigate the stern rigour of the law.

“ As all debts due upon negotiable securities were simple contract debts, the object of the bill would be to put all simple contract creditors upon the same footing with special creditors. Gentlemen of that House who were not conversant in his profession might not be aware that a court of equity was the only court in which real estates could possibly be made liable to simple contract debts. This serious evil courts of equity have endeavoured to remedy by a mode of proceeding which professional men understood by the terms ‘marshalling of assets.’ He should conclude by observing, that in order to combat the general prejudice against innovation, it is the duty of any person proposing that one measure should be adopted in the place of another, not only to state the alleged good effects of the new, but also the advantages and disadvantages of the old one. In the latter statement he had certainly been partial, but he was unavoidably so. He had stated the disadvantages only, because in his view of the measure (and it was not an inattentive one), it appeared but productive of pure and

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unmixed evil. He had now only to apologise to the House for trespassing so long upon their time, and hoped, that if he had been guilty of prolixity, it would be rather imputed to an anxiety in him to make himself as clear and intelligent as possible upon a subject of such importance to the landed and commercial interest of the country."

On this occasion, a lawyer (Mr. W. Wynne) hoped the learned gentleman would not stop here, "but apply his mind to a similar consideration in respect to the estates of the living as well as of the dead;" yet on the *third reading* of the bill it met with a powerful opposition, especially on the part of the Master of the Rolls, as will be seen from the following transcript of his speech:

Sir William Grant maintained, "that the bill would be a dangerous innovation on the existing laws of the country. If we were to find fault with any thing merely for being a remnant of antiquity, and preserved from feudal times, we must recast the whole system of our laws. It was only from the feudal system that the distinction first arose between landed and personal property. That distinction was not known to the Roman law, or to the laws of the Saxons. The principle of the bill went to remove this distinction altogether, and although the present bill did not go so far, yet, if he were to vote for the present, he did not see how he could withhold his vote from another bill founded on the same principle. The law at present says, that no man shall alienate a freehold except by deeds executed in a certain form, and that he shall not charge it with debts except in a certain manner. If then he dies without executing the power and controul that he might have had over his freehold property, the law gives it to the heir unincumbered, and the heir enters with a legal right, as strong as the tenant in tail would do after the death of the tenant for life. The laws of natural justice were not applicable to the question; for it was not natural justice, but the law of the land, which allows a man to dispose of his freeholds after his death. It could not be

said to be contrary to natural justice, if it were the law, as it was formerly in France, that a certain portion of a man's landed estate should descend to his children unincumbered by any debts, and not to be revoked by any deed or will. It was not contrary to natural justice, that a widow should receive, as her dowery, an absolute third of the whole estate, although it might be charged with debts beyond its real value. The principle of the bill, if carried to its full extent, would shake the foundation of the security of marriage settlements, as the man who proposed to settle estates on a marriage, might owe debts equal to the whole value of the estates. He considered that the commercial credit of the country stood now on much higher grounds than it did in former ages; and although it was highly liberal in the aristocracy to consent, in the reign of Edward the First, that, for the benefit of commerce, lands should be charged with simple contract debts, by whoever should sue out a statute-merchant, yet that writ was never now resorted to. The privilege of Parliament was now much more in favour of monied men than of landed gentlemen, because the profits of land could be got to the last shilling by *elegits*; whereas there was no means of touching the income from funded property, which any member of that House possessed. After repeating most of the arguments he had used on a former night, he concluded by opposing the bill.

"The Solicitor General then entered into a minute examination of all the objections to the bill. He stated the numerous cases of mischief against which it was to provide, and in a style of powerful and animated sarcasm commented on the observation, that the aristocracy of this country, distinguished for its exalted sense of virtue and honour, could object to a bill, the object of which was to render their estates liable to their own debts. On this the House divided on the question of the third reading, when there appeared,

"Against it, 69—For it, 47—Majority 22."

Notwithstanding the bill was thus lost, Sir Samuel again brought the subject before the legislature, and it received its sanction, under the form

of an act. "for the more effectually securing the payment of the debts of traders." On this occasion, he made a few judicious alterations, and gave a preference to specialty creditors.* We think the

* The following are the provisions of the act, 47 Geo. III. sect. 2. cap. 74. "Whereas it is expedient that the payment of the debts of persons in trade should be secured more effectually than is done by the laws now in force; be it therefore enacted, &c. That from and after the passing of this act, when any person being at the time of his death a trader within the true intent and meaning of the laws relating to bankrupts, shall die seised of or entitled to any estate or interest in lands, tenements, hereditaments, or other real estate, which he shall not by his last will have charged with or devised subject to or for the payment of his debts, and which before the passing of this act would have been assets for the payment of his debts due on any specialty in which the heirs were bound, the same shall be assets to be administered in courts of equity for the payment of all the just debts of such person, as well debts due on simple contract as on specialty; and that the heir or heirs at law, devisee or devisees of such debtor, shall be liable to all the same suits in equity, at the suit of any of the creditors of such debtor, whether creditors by simple contract or by specialty, as they were before the passing of this act liable to at the suit of creditors by specialty, in which the heirs were bound: provided always, That in the administration of assets by courts of equity, under and by virtue of this act, all creditors by specialty in which the heirs are bound, shall be paid the full amount of the debts due to them, before any of the creditors by simple contract or by specialty in which the heirs are not bound, shall be paid any part of their demands.

II. Provided also, and be it further enacted, that nothing in this act contained shall extend or be deemed or construed to extend to repeal, or alter, an act of Parliament made in Ireland in the twenty-third year of the reign of King George the Second,

principle just and proper, and for our part, object solely to the means of enforcing it, viz. by a tedious and expensive application to a court of equity, an objection in itself sufficiently obvious, but which never once occurred to any of those who opposed the first bill, and indeed would have come with a bad grace from a Master of the Rolls.

On the impeachment of Viscount Melville, Sir Samuel Romilly was appointed one of the managers, and not only assisted in preparing and arranging the accusatory matter, but during the fifteen days that the trial lasted, paid the most sedulous attention to all the proceedings. The Peers assembled in Westminster Hall on the 29th of April, 1806, and Mr. Whitbread, in an address of three hours and forty minutes, expatiated on the ten articles, constituting the supposed *corpus delicti*. After this the evidence was produced, and Sir Samuel summed up, in a speech which occupied the whole of one day, and was listened to with the greatest respect.*

intituled, An act for repealing an act passed in this kingdom in the eighth year of the reign of King George the First, intituled, "An act for the better securing the payment of banker's notes, and for providing a more effectual remedy for the security and payment of debts due by bankers."

* *Saturday, May 10, 1806.*—The Lord Chancellor told the Solicitor General that he may now proceed.

"Sir Samuel Romilly then addressed the court. He began by stating to their lordships what had been the grounds of the proceedings, and upon what circumstances the charges were established. This was a duty which he considered as due to the Com-

He animadverted with much severity "on the suspicious fact of burning the vouchers," as well as the

mons of England and Ireland, and even to the accused himself ; for the character of the Commons was above the suspicion of their entertaining any personal hostility to the noble defendant : so far were they from it, that they could not, without painful feelings, contrast the situation of the noble Viscount, when possessed of power, authority, and the favour and confidence of his Sovereign, with that in which he was placed at their lordships' bar, as a delinquent, stripped of all those advantages, and obliged to justify himself against the charges of high crimes and misdemeanours.

"But the managers were, at the same time, awfully impressed with a due sense of the serious duties imposed upon them, and the responsibility of the situation, when they had, at the same time, to sustain the dignity and character of those who sent them there, and to deal with justice towards the individual accused. In the first place then, he would state what were the crimes of which the noble Viscount was accused ; afterwards, the nature of the evidence, as it applied to the proof of them ; and, finally, how far he considered the charges to have been proved. The crime was that of a wilful violation of the law, in the breach of an act of Parliament, and the appropriation of the public money to his own purposes, both of which were, in fact, resolved into one and the same crime.

"It could be no hardship to the accused, if the managers went upon stubborn and substantial facts. They charged him with the misapplication of 10,000*l.* the manner of employing which he had left them no possible means of tracing. The accused had no possible excuse for his conduct. When the law ordained that he should not apply the public money but for public purposes, he received an additional salary, in compensation for not doing so. This was the condition on which he held his office, and obtained an additional salary, and yet it was proved, beyond the possibility of contradiction, that he received the additional salary, and, at the same time, violated the condition upon which he ob-

"refusal to account for one sum of 10,000*l.* which he confessed to have misapplied." He dwelt "on the two 10,000*l.* bank notes, traced to

tained it. To wind up the climax of his criminality, it would be sufficient for him to mention, that this law, which he violated, was of his own production, as had been proved by the managers, who, this day, put in an abstract from the journals of the House of Commons, from which it appeared, "that the Right Honourable Henry Dundas was one of the persons appointed to prepare and bring in the bill."

"The managers, he observed, laboured under a peculiar difficulty in conducting this prosecution, as they had no other evidence to resort to, but the undestroyed accounts and letters of Lord Melville himself; and the strangest thing of all was, that even this evidence was objected to by his counsel, who, instead of endeavouring to afford any explanation, entered, on his part, a solemn protestation against it. Their lordships, no doubt, would know how to appreciate this species of defence; for, in his opinion, the objections of Viscount Melville's counsel to allow the production of his own accounts, and of his own hand-writing, afforded the most complete evidence and conviction of his guilt. The rules of law were not so much at variance with those of common sense as to reject this proof; for surely, the same documents, which, if favourable, would have justified the accused, must, when unfavourable, be allowed to act against him. The learned manager then went into a long and circumstantial statement of all the various accounts referred to in the course of the trial, comparing the official with the Bank accounts, from day to day, &c. The last that he dwelt upon was the declaration made by Viscount Melville in the House of Commons, that of all the sums of public money coming through his hands, as Treasurer of the Navy, none was applied to other than naval purposes, except the sum of 10,000*l.* and in what manner he employed that, his sense of public duty would prevent him from ever disclosing to that House, or to any

the private use of the noble defendant," and observed, "that if their lordships were convinced that he had misapplied one shilling of the public money,

human being. Such a declaration, made in the face of the nation, within the walls of the House of Commons, and in the teeth of an act of Parliament, must, if submitted to, have the preposterous and monstrous effect of putting a public accountant above the law, and superior to all responsibility. How was this mystery to be unravelled? Was he authorised to do so by his Majesty, or by any other authority superior to his own? That he did not deign to tell. In this country, there was no man possessed of public money for which he was not accountable. He, however, openly declared, that he would not account for it. The learned gentleman then contended, from the evidence of Lord Melville before the committee, that he knew of the application of the public money to private uses by Mr. Trotter. He then called the attention of their lordships to the proposition made to Lord Melville to apply part of the money lodged in the bank to purchase India Stock, but that his lordship had indignantly rejected this proposal. But how, he asked, was this indignation followed up? In a very short time, Lord Melville agreed that Mr. Trotter should obtain a loan of money, for the purpose of allowing his lordship to purchase the stock. The stock was to be obtained, without any other security than the stock itself. Now was it in the slightest degree probable, that a person possessing such a knowledge of the world as Lord Melville, with the advantage too of a legal education, should, for a moment suppose, that money could be raised upon such security? or, that any person would be such a fool as to lend money for a small premium to another, when that person was capable of applying it to the same advantage as the borrower? The learned gentleman then commented upon the execution of the release, and the destruction of the vouchers, for which no reason could possibly be given. In a court case, their lordships knew well, that if a party destroyed evidence, he was charged to the full extent that such

and had appropriated it to his own advantage, he was guilty in the eye of the law." He also insisted in the strongest terms "that neither Lord Melville, nor Mr. Trotter, were authorised to convert the cash entrusted to them to their own purposes; that balances of many thousand pounds remained in the hands of Viscount M. unaccounted for, from 1784 to 1800; that his lordship's declaration, that he would not tell how he had disposed of certain sums, was a violation of the law of the land, while the representation of Mr. Trotter, in which he stated that the noble Viscount had rejected an application on his part, to employ the public money for his lordship's advantage, was an insult to the discernment of the House."

Mr., now Sir Thomas Plomer, and Solicitor General, on the other hand, during the two succeeding days vindicated the character and conduct of his client in an able speech, and at length, on Thursday, June 12, after duly examining the votes, Lord Chancellor Erskine intimated, "That a majority of the lords had acquitted Henry Viscount Melville of high crimes and misdemeanors charged upon

evidence, if before the court, would have gone against him. This point he pressed on the consideration of their lordships, and concluded his speech, by again calling the attention of their lordships to the ruin in which the country might have been involved by the conduct of a man, to whom millions of the public money were entrusted."

him by the impeachment of the Commons, and all things contained therein."

On another occasion, the humane and laudable efforts of the subject of this memoir, in conjunction with those of his associates, proved completely successful. We now allude to the "Slave Trade Abolition bill," at which period his speech was received with such distinguished applause; that the delivery of one animated passage was followed by three distinct plaudits—an event which perhaps never occurred before in the House of Commons. Towards the conclusion, he introduced a most brilliant apostrophe, in which he drew a comparative estimate of the labours and the enjoyments of the original propounder of that bill, and the present despot of France.

But in the midst of the career which he had now entered upon, an event occurred that tended not a little to cramp his efforts for the public weal, by diminishing the extent of his legal and political influence. That administration of which he had formed a part, was doomed to be dissolved, and he himself was of course prepared to retire from the office which he had exercised with so much moderation, for we have some reason to believe, that during the year in which he acted as King's Solicitor General, not one prosecution for libel, not a single solitary attempt to narrow or infringe upon the liberty of the press, took place.

Sir Samuel, however, did not tamely submit to

the exercise of the royal prerogative. On the contrary, he rose in his place in the House of Commons, and made a most able defence of the conduct of the ex-ministers. He contended, that their intentions in respect to Ireland, were equally replete with policy and justice, while their behaviour to his Majesty was founded on sound constitutional principles. They had refused to give the Sovereign a pledge not to renew the Roman Catholic question; and in this they had acted right, for they could not have complied with any degree of decency, or any appearance of respect for the important situations which they had occupied. He at the same time manfully asserted, that the King could not perform this, or any ministerial act in his own person, as by the laws he could do "no wrong," and a responsibility was somewhere necessary: on this occasion, it therefore undoubtedly attached to his Majesty's present ministers. He concluded by deprecating the return of Lord Melville to office, as, notwithstanding the acquittal of that nobleman, no one of his friends had hitherto been hardy enough to move for rescinding the vote of the House of Commons against him.

In 1807, Sir Samuel, who had long meditated a grand reform in the criminal code, first disclosed his purpose. In order to bottom his proposed alterations on facts, he moved for certain returns, with a view of ascertaining the effects of the old system. From these it appeared, that in the course of three years only, 19,178 prisoners had been tried for their

lives in the United Kingdom, of whom no less than 9510 were convicted, and 327 executed, while, wonderful to relate, a greater number by five suffered death in Dublin than in London.*

On this occasion, with a humanity worthy of himself, he proposed to alter one of our statutes, respecting petty thefts, which appears to have been written in blood, and with the pen of Draco, rather than composed in a manner suitable to the condition or habits of Englishmen. He also wished to introduce a new practice in favour of the innocent. It is well known, that at this moment, any one may be imprisoned, tried, and perhaps ruined, both in respect to character and property, on the oath of another, grounded solely on plausible but ill-founded suspicion. We daily behold instances of this kind

* Comparative statement of the number of convicts tried, convicted, acquitted, and executed in England and Wales, and in Ireland, during the years 1805, 1806, and 1807 :

Number of prisoners tried, convicted, acquitted, and executed in England and Wales in the years, viz.

	1805	1806	1807	Total.
Tried -	4552	4315	4346	13,213
Convicted -	2730	2484	2468	7,682
Acquitted -	1822	1831	1878	5,531
Executed -	68	57	63	188
Of these in London	10	13	14	37

Number of prisoners tried, convicted, acquitted, and executed in Ireland in the years, viz.

	1805	1806	1807	Total.
Tried -	2013	1996	1956	5,965
Convicted -	613	651	564	1,828
Acquitted -	1400	1345	1392	4,137
Executed -	42	42	55	139
Of these in Dublin	9	12	21	42

occurring in our criminal courts, and cannot but respect those worthy persons who point out something in the shape of a remedy, for complete redress cannot be expected.

On the 16th of May, 1808, Sir Samuel Romilly rose, agreeably to notice, "to move for leave to bring in a bill for repealing certain parts of the criminal code of the country, by which capital punishments were inflicted—and also for granting compensation to persons who had suffered by the preferring of accusations against them, and who were latterly found innocent. In submitting this motion to the House, he expressed his consciousness of the danger of innovating on the established criminal law of the land; when it was considered, however, that the extent of punishment to be pronounced had by no means so great an effect in preventing the commission of crimes as the certainty of the punishment being put in execution, he felt conscious, that in the motion he had to submit, he should give increased effect to the criminal law of the country, by diminishing the number of offences in that very part of the code which it was his object to change from a capital punishment into one of smaller magnitude.

"The part to which he meant to confine his attention at present, was that which regarded privately stealing, and stealing to a certain value. The indulgence and humanity of juries in this respect, was often so great that we frequently saw them committing what Sir W. Blackstone justly called a pious fraud, in valuing property, in many instances, at the fifth part of what they must be convinced was its worth. To liberate them from this unpleasant feeling, and at the same time to assure persons guilty of such offences, that the punishment attached to their offence would unquestionably be inflicted, for this purpose he should move, 'That the statute of the 9th of Elizabeth, Chapter 4, the severity and absurdity of which were such, that it was astonishing it should exist at this moment, be repealed, and more adequate and rational punishments be inflicted.' He was aware of the necessity of making any alterations in the criminal law of the land gradually, and with caution. This, therefore, was the only alteration he should

at present propose to introduce, except a provision for granting some compensation to persons who might have been unjustly accused, confined probably for four or six months, and obliged for their defence, and for their subsistence in prison, to dispose of the few articles of furniture, or even of clothes, which they might have possessed. When we saw persons in consequence of false charges brought to this situation, and their families, in all probability, reduced to ruin, was it not surprising that no compensation had yet been devised for such occurrences? He was aware that there was a difficulty in preparing an adequate remedy to suit every case of acquittal. Many men might be acquitted of crimes of which, notwithstanding, it could not be said they were innocent. A person might think he had been robbed by his servant, and that servant might be acquitted, but yet was there a man who would say, that from the circumstarce, he should be restored to his service?

“He might be acquitted from an accidental defect in the indictment, but it would be absurd to say, that, because he had been so acquitted, he must be remunerated, while no opportunity has been afforded of deciding on the merits of the case. The recompence he proposed to persons in this situation, should be paid by the treasurer of the county; and to render it subject as little as possible to doubt, whether the person acquitted was entitled to any remuneration, on the head of his innocence, he should propose that the judge who tried the case, and to whom it at present belonged to say if the prosecutor was or was not entitled to his costs, should also have it in his power to say, whether the person acquitted should or should not receive a recompence for the loss he had sustained. He concluded by moving for leave to bring in a bill for repealing so much of the act of 8th of Elizabeth, chapter 4th, as takes away the benefit of clergy from offenders only of stealing privately from the person of another.”

After some compliments and observations from Mr. Wilberforce in favour of the principle, and a few remarks from Sir Francis Burdett respecting the power of certifying, proposed to be conceded to

the judges, the new Solicitor General opposed the bill. Notwithstanding this, on the 15th of June, it was moved "that the House do resolve itself into a committee of the whole House, on the privately stealing bill." This having been granted, Sir Samuel stated,

"That the question for consideration was, whether private stealing should remain a capital felony, or be rendered a simple larceny. The law as it at present stood, had, he contended, shocked the humanity of prosecutors, of juries, and of judges. The offence which it was the intention of the statute of Queen Elizabeth to prevent, had become more frequent than ever, because the punishment for the offence being too severe, it very often happened, that no punishment at all was inflicted. He asked then, whether a law which encouraged, instead of preventing crimes, ought to be suffered to remain upon the statute book. To the authority of Dr. Paley, he opposed that of Mr. Justice Blackstone, who, in his Commentaries asserts, that the severity of the criminal law increases the number of offences. It struck him as very extraordinary, that in a country, and in a House so wise and humane as this, hundreds were ready to cry out against every attempt to mitigate the criminal law; but if any measure was introduced for the purpose of aggravating its severity, no person was found to object to it. He stated the difference in the value of money, to be another reason for making an alteration in the law. Any other observations which he might have occasion to make, he should reserve for the committee on the bill.

"A clause was then added by the Solicitor General, and the whole was afterwards agreed to stand over to the next session of Parliament."

Sir Samuel Romilly, in person, is tall, thin, and between forty and fifty years of age. His complexion is dark, and his aspect somewhat saturnine, until it brightens up with a smile. He stoops a

little, like all studious persons, and we lament to add, that his health does not appear to be confirmed. This is the less surprising, if it be true, that in term the portion of time dedicated to rest seldom exceeds five hours.

He no longer attends the circuit, but during the course of the summer, takes pretty long journeys, for the benefit of air and exercise. Sometimes he is to be met with at Inverness, in Scotland, and at other times is seen in the road to Radnorshire, in South Wales.

In Lincoln's Inn New Square, and in the Court of Chancery, he is the lawyer, speaking from, or reading and meditating on the brief of a client. But when he has laid aside his bag, gown, and wig, he becomes the private gentleman, and retires to his own house, to reassume the character of the father, the husband, and the master. We rejoice to behold such men acquiring eminence, and look forward with pleasure to the period, when he, who has as yet only tasted of the honours of his profession, without the interposition of any vulgar arts, and resting his claims on his own merits alone, shall enjoy that exalted meed which certainly awaits him.

**GENERAL SIR JOHN STUART, K. B.
and K. C.**

(THE HERO OF MAIDA.)

SOME have affected to consider it as a reproach to England, that she has produced so few great military characters. Yet whoever contemplates the nature, position, and inhabitants of our island with a philosophical eye, will easily solve this seeming paradox. Admirably situate for commerce, which is the legitimate parent of naval power, we have attained to an amazing degree of maritime greatness, and upwards of one thousand pendants, flying at the same time, in the Atlantic, the Mediterranean, the Baltic, the East and West Indies, the Channel, and our own ports, attest that no nation on earth, ever equalled us in this point of view.

But, what constitutes this species of greatness, almost prohibits every other; for as an insular form, produces the greatest possible quantity of sea-coast in the least possible space, so it absolutely cuts off and precludes all immediate contact with the continent on one hand! while on the other, by affording but a very narrow surface, it confines population to scanty limits.

It is in that continuity of empires, kingdoms, and states, usually denominated Europe, where
1808-1809.

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great land wars have been carried on, and terrible, as well as decisive battles fought. There, nations have been formed, by repeated aggregations, of from sixteen to thirty-five millions of souls ; and armies, or rather immense masses of fighting men collected, to the amount of two, or three hundred thousand. To move these huge unwieldy engines with celerity and effect, to combine their operations with skill, and enable the whole to act with promptitude and decision, constitutes the *maximum* of modern generalship.

Fortunately for England, she is exempt from the necessity of having recourse to means like these : for if such were employed for foreign conquest, she must soon be exhausted by unprofitable labours, and for home defence they have not hitherto been called for. Almost constantly engaged in actual war, in some of the extremities of the empire, the centre has happily been long freed from either internal or external commotions. While all Europe has by turns experienced the horrors of invasion, and shuddered at the presence of hostile armies, she alone, for a long period of years, has not felt the unsparing sword of a hostile intruder ; for since the year 1746, a single drum has never sounded in anger, in any portion of the island, from Penzance to the Orkneys.

It is evident, therefore, that as in France, circumstances of a peculiar kind have given a military tinge to the complexion and character of the na-

tion, so in Britain, from events of a different description, the genius of the people has been directed to maritime exploits.

It is a well known fact, however, that although from the scanty numbers of our troops we have commonly produced partisans rather than generals, yet when opportunities offered, our armies and their leaders have proved themselves to have been formed of exactly the same *materials* as our fleets and our admirals. James Earl of Stanhope distinguished his abilities under William III., and, with one single exception, conducted himself in Spain with equal ability and success. Charles Mordaunt, Earl of Peterborough, displayed consummate talents for war in the same theatre, while the Duke of Marlborough, a conqueror on the Danube and the Rhine, not only collected, but formed and commanded armies appertaining to different nations, the operations of which were managed with unerring precision, and combined with decisive effect.

It follows, therefore, that it is from want of numbers and opportunity, rather than from any deficiency of military talents, we are to ascribe the limited number of our great officers. Were England, which is said to have been once joined to the continent, by any convulsion of nature, to be once more unfortunately brought in full contact with it, a new order of things would of course take place, and the character of the people assume more of a military hue. Until then we must be content with a petty war-

fare, during which, detachments of our troops, embarked on board our ships, may be conveyed like the legionary soldiers of ancient Rome, in her galleys, and serving as confederates rather than acting as principals; we shall abjure the seductive sophisms that invite to conquest, and be content with the less splendid, but far more beneficent project of confirming our own independence, as well as vindicating that of our allies.

It will be readily acknowledged, that these loose hints are neither inapposite nor irrelative to the subject of the succeeding article, and it is hoped, that in the following account of the Hero of Maida, some of the positions laid down, will be fully illustrated and confirmed.

Sir John Stuart was born about the year 1760. As the name in some measure imports, he is of Scottish descent, and indeed his father was a native of the northern portion of our island. That gentleman, either incited by the spirit of adventure, or the wish to acquire independence, repaired to America at a very early period of life, and at a time, too, when happily both for Britain and herself, she was ranked among our colonies. During many years he occupied the important situation of Superintendent of Indian Affairs, and accordingly resided occasionally in the back settlements, among wild nations, comparatively numerous, and as yet undebauched by the ardent spirits of the West Indies, or undiminished by the small-pox and other fatal diseases imported from Europe.

As education at that period, happened from a variety of circumstances to be but little attended to under the provincial governments, it was then deemed necessary to send all the colonial youth to England. Young Stuart accordingly embarked from one of the southern provinces (South Carolina) for this country, and was bred at Westminster. The late Dr. Smith was then head master, and he was a scholar on the same form, with Mr. Brickdale, * son of a late M. P. for Bristol.

In 1782, on the demise of his father, Mr. Stuart determined on embracing the military profession. Having accordingly obtained a pair of colours in the guards, he repaired first to Charlestown,† for the purpose of enquiring into the situation of his affairs, and having soon after joined his regiment, was present at the battle of Guildford, where the English arms proved victorious. On this occasion, he received a wound in the groin, which has since opened, and been attended with disagreeable effects.

Soon after this, an unhappy dispute, which terminated fatally, took place in the battalion, and we are told, that Mr. Stuart was the only officer who advocated the cause of Colonel Gordon.

Having at length obtained a company, which

* We believe Mr. Morris, M. P. for Newport, and his brother who now resides at Southampton, were also his contemporaries.

† His sister, Miss Stuart, is married to Mr. Fenwick, of South Carolina.

conferred on him the rank of Lieutenant-colonel in the army, the subject of this memoir began to look upwards, but it is well known to all those connected with military affairs, that patronage is in general necessary to advancement, for without money to purchase in the first stage, and friends afterwards to urge and insist on claims, however meritorious, promotion will be both slow and uncertain.

At last, however, a fortunate opportunity occurred, which displayed the talents and offered a fair field for the enterprise and advancement of this officer. The interval between the conclusion of the American contest, and that which was produced by the French revolution, of course presented, a long and *languid pause*, during which young and aspiring military men were invoking the god Mars in vain, to prepare his thunders, and happily for them at least

“ unchain the dogs of war.”

But in 1793, the voice of peace was drowned in the clamour for hostilities, and a new and most portentous struggle took place, in which the dearest interests, not only of this country, but of all Europe, were involved. Mr. Stuart, who by this time was a field officer of some standing, accordingly soon found an active employment suitable to his wishes. The first scene of his operations was in an unfavourable climate, and we find him in 1795, with the local rank of Brigadier-general, combating in the West Indies.

Towards the latter end of the first year of the war, a formidable expedition was fitted out, and the command of the land forces conferred on a veteran officer of considerable abilities—the late General Earl Grey, then Sir Charles. The campaign was prosperous beyond all calculation, for Martinique, Guadaloupe, and St Lucia, were speedily reduced, while the little settlements of Maregalante, Desedea, and the Saints, surrendered without firing a single gun.

Meanwhile a singular man made his appearance in the West Indies, who, if his private character had but equalled his exploits, would have deserved the respect of all good men. This was the celebrated Victor Hughes, who stealing from one of the ports of France with a feeble armament, consisting of a few frigates, with only fifteen hundred troops on board, arrived at Guadaloupe on June the 3d, 1794, and after storming Pointe-a-Petre, soon obtained possession of the whole island, less on account of the terror of his arms, than the possession of a most formidable decree, by which liberty was promised to all the slaves who would take up arms in behalf of the republic. On this occasion, Brigadier-general Stuart, with a small body of men at once lessened and enfeebled by disease, attacked and took possession of Vieux Fort. After this, he proceeded to attack the enemy at Souffriere, dissipated an ambuscade, which had been planned on purpose to intercept him, and skirmished with the foe for many hours. But his force was inadequate to

any effectual opposition, and the genius of France was suffered for a while to triumph, by means of those gallant but unfortunate negroes, who after spilling their blood and devoting their lives in behalf of the French colonies, have been since, in opposition to every principle of justice, and every idea of national honour, declared slaves, and restored to the lash of their former task-masters, by the simple mandate of the Emperor Napoleon.

From the West Indies, the subject of this memoir repaired to the Mediterranean, where he obtained the command of the regiment of "Minorca, or Stuart," and in 1801 we find him employed in the reduction of Egypt, which, having been abandoned by Bonaparte, was now intrusted to Menou, who, with a view of gratifying the prejudice of the natives, had assumed the name of Abdallah, married a female born in the country, and both dressed and acted in strict conformity to the Mahommedan rites. The plan of debarcation was both prepared and issued at Marmorice, from on board the *Foudroyant*, on the 5th of February, but the landing was not made until the 8th of March. On this occasion, a detachment composed of the *Minorca*, *De Rolle's*, and *Dillon's* regiments, were confided to the care of Brigadier-General Stuart.*

* The following is a list of the land forces, and the manner in which they were employed :

1. Commander in Chief—Lieutenant-General, Sir Ralph Abercromby.
2. Guards.—Major-General Ludlow.

The steady intrepidity with which the invasion was effected, reflects great lustre on the British arms. On the 12th the whole army moved forward and obtained sight of the main body of the enemy, to the amount of 6000 men, at that moment most advantageously posted on a ridge of sand hills, with their right towards the canal of Alexandria, and their left to the sea. On the 13th an action took place, during which the French descended into the Plain, but were soon forced to retire under the protection of the fortified heights, which might have been carried perhaps, by the reserve: but this was not deemed prudent by the commander in chief, who withdrew his victorious troops, and encamped with his right to the sea, and his left to the canal of Alexandria. That movement, however,

1st battalion of Royals, 2d battalion of the 54th, and 92d—Major-general Coote.

8th, 15th, and 90th—Major-general Craddock.

2d of the Queen's, 50th, and 79th—Major-general Lord Cavan.

18th, 30th, and 44th—Brigadier-general Doyle.

Minorca, De Rolle's, and Dillon's—Colonel Stuart.

RESERVE.

40th flank companies, 23d, 28th, 42d, 58th. Corsican Rangers, detachment of 11th dragoons, and detachment of Hompech's regiment—Major-general Moore.

12th dragoons, and 26th ditto.—Brigadier-general Finch.
Artillery and Pioneers.—Brigadier-general Lawson.

Total, 15330.

Seamen under Sir W. Sidney Smith, 350.

Grand Total, 15680.

did not take place without considerable loss, for the gallant General, Sir Ralph Abercromby, who unfortunately happened to be short-sighted, not calculating the distance with sufficient precision, the British troops were brought within the range of the enemy's cannon, and 143 rank and file were killed, while no fewer than 946 were wounded.

On this occasion, of Dillon's regiment, one of the three placed under the orders of the Brigadier, thirteen rank and file fell, and three officers, two serjeants, and fifty-six men were wounded. Nor ought it to be omitted here, that this same battalion charged the enemy with screwed bayonets, and took two pieces of cannon. That gallant action was performed in the presence of the General in Chief, who mentioned the exploit next day in public orders, and returned his thanks accordingly.

At length Menou having assembled the remainder of his forces, and marched from Cairo to fight the invaders, the battle of Aboukir took place on the 21st of March. It was on this occasion, that the new Abdallah, assuming the figurative style and the ancient dress of the East, threatened to drown "the English in the lake Maodie."

The charge of the French was on this day not only impetuous but terrible; yet they were finally repulsed, however, after several successive charges, by the steady valour of the English, who checked their ardour, and repressed their enthusiasm. But the hottest part of the action was on the right of the line, for against this, the chief effort

of the twelve French demi-brigades, and mostly all the cavalry was directed. Hitherto the "Invincibles," a chosen body reared under the immediate auspices of Bonaparte, and attached to his fortunes, had proved themselves worthy of their name and reputation, both in Italy and Egypt. On this occasion too, they conducted themselves with great bravery, for after piercing the line, and carrying every thing before them, they attempted to storm a battery three different times, but were repulsed with great slaughter, having been received not only by repeated volleys of grape shot, but what was still more terrible and unexpected, by a charge with screwed bayonets, that nearly annihilated this celebrated corps, the soldiers appertaining to which fell exactly in the same position in which they had fought.

Meanwhile that portion of the British army which had been thrown into confusion rallied, and immediately proceeded to attack the enemy. The 42d regiment of foot which had conducted itself with great gallantry, having experienced a considerable loss, Brigadier-general Stuart, with his wonted promptitude, flew to its assistance. He accordingly pushed on the foreign brigade, and the Queen's German regiment being on the right, commenced its operations in a well directed and most dreadful fire by files, at a distance of about forty yards from the front rank of the French infantry; but as both sides kept advancing, they were soon within the length of a musket of each other.

At this critical moment, the dawn of day presented a most extraordinary scene, for while some were discharging their pieces, others fought with the bayonet, and not a few were seen to make use of the *butt ends* of their firelocks. In about a quarter of an hour after they had been thus at close quarters, the French gave way, and were pursued by the foreign battalions, particularly the Germans, for about forty or fifty yards. But the Brigadier perceiving that the enemy were effectually sheltered by their artillery, under cover of which they retreated towards the heights, whence it played with considerable effect, ordered his troops to halt.

Notwithstanding this, so eager were some of the foreigners in the pursuit, that they still continued to rush forward on the enemy, and one of them called Lutz,* perceiving the officer who bore

* Antoine Lutz, was born at Rosheim, in Alsace, July 5, 1777. In 1792, Gregoire, the father, who was a labourer in the adjoining vineyards, emigrated with his family to Germany, for the express purpose of avoiding the requisitions, in consequence of which his son Antoine had been already obliged to join the 13th regiment of foot, then serving in the army of the Rhine. At the end of about three months he returned to his father, but was soon after carried off as a deserter, by a party of French cavalry. In 1794, he again escaped and joined the army of the Prince of Condé; in 1797, he entered the Prussian service; he was then exchanged into the Austrian regiment of Loudon; in 1799, he repaired to Italy, and was taken by the army of Moreau, at Castel Nuovo.

Having again found means to run away, he was *kidnapped* at Milan, by the Spaniards, and having embarked on board a vessel

the Invincible colours, at about eight yards distant, he shot him in the back. On this the ensign turning round, exclaimed, "Vive la Republique!" and resigned his charge only with his life.

On perceiving him fall, the soldier reloaded his firelock and seized the famous standard. Not content with this, and being to the full as desirous of booty as of glory, he was about to cut off the rich gold epaulets from the coat of the fallen officer, but was deterred, partly by the fire from the French batteries, and partly by the approach of a body of horse, in order to avoid the latter of which, he threw himself into a hollow way, and covering the colours in part with his body, pretended to be dead.

When the cavalry had left the spot, Lutz got up, and was advancing towards his own regiment with the spoil in his hand, but happened to be detained by another adventure. Two French dragoons perceiving him with the standard, immediately rode towards the spot, and one of them having shot at and missed him, the brave soldier threw down the subject of the contest, and killed the horse of his antagonist, whose foot being entangled in the stirrup, begged and obtained his life. After this, resuming the precious deposit, for which he had thus risked his life, he brought both it and the prisoner to head quarters.

bound to Barcelona, was seized by an English cutter and conducted to Minorca, where he enlisted into General Stuart's corps.

The conduct of the whole of this brigade, and the able and spirited exertions of its commander, not only merited, but obtained due notice, as will be seen by the following extract from the general orders of the army, dated March 24, 1801 :

“ The support given to the reserve by Brigadier-general Stuart and the foreign brigade, was as gallant as it was prompt, and entirely confirmed the fortunate issue of that brilliant day.”

This officer on the 25th, issued the following notice :

“ It was with the most heartfelt satisfaction, that the Brigadier-general contemplated in yesterday's general orders, the honourable reward offered to the brigade in the flattering testimony of the Commander-in-chief's approbation of their conduct, in the action of the 21st. Sincerely and warmly attached to each corps, from long and peculiar circumstances of connection, the Brigadier-general acknowledges his own obligations to their exact obedience and discipline ; and he cannot but participate with them in the credit of having rendered themselves conspicuous on a day which, independently of the glorious events which have preceded, must ever add lustre to the character of a British army !—Regret for the loss of those brave men who fell, is a tribute due to their worth ; and for none can the Brigadier-general sympathise more fully with the brigade, than for that of his esteemed and valuable brigade-major.”

By way of rewarding the merit of the private soldier, the following regimental orders were issued April 4, 1801.

“ Private Anthony Lutz, who took the standard from the enemy on the 21st of last month, is directed to wear the representation of a standard (according to the model presented by the Brigadier-general), as a mark of his good behaviour, on his right

arm :*—and the Brigadier-general notifies, that as soon as the regiment is in an established quarter, he will institute a valuable badge, in a certain proportion per company, to be worn by such men as shall have been proved, upon sufficient testimony, to have distinguished themselves by acts of valour, or by personal instances of meritorious service ; and officers are, on this account, to make note of the conduct of individuals."

The Brigadier remained for some time in Egypt, after the conquest of Cairo and Alexandria, on the latter of which events, the French army submitted and was embarked for Europe. He indeed staid long enough to witness the plighted faith of England basely violated on the part of the Turks, by the murder of the Mameluke chiefs, and was employed by the Commander-in-chief, to testify his indignation on that occasion.†

On the promotion which took place, April 29, 1802, this officer obtained the rank of Major-general, and he was also presented by the late Sultan, with the insignia of the Crescent, a new order of chivalry, instituted for the express purpose of distinguishing the valour of such as had conducted themselves with distinguished gallantry in the con-

* The badge was by a subsequent order removed from the right arm to the left breast, and Lutz has since obtained a pension.

† Major-General Stuart had executed the orders of General Hutchinson, in expressing to the Capudan Pasha, more forcibly than by words, the resentment which honourable men must have felt at so flagrant a violation of the most sacred obligations, as the murder of the Beys of Egypt, for whose safety the British honour had been pledged.

quest of Egypt. To that country he was once more destined to return, for soon after the conclusion of the peace of Amiens, he was sent there on a special mission. In his way thither, he visited Constantinople, and fortunately escaped from the plague,* notwithstanding two persons dying of that disease, had been introduced for the express purpose of communicating the infection.

The peace concluded with France March 27, 1802, was but of short duration, and no sooner had a new war been resolved upon, than the commanders who had served with reputation in Egypt, were the first to obtain employment. Sir J. Stuart,

* After the termination of the war, General Stuart was again sent by the British Government on a delicate mission to Egypt; and on passing through Constantinople, he had an audience of the principal officers of state, and among others, of the Capudan Pasha. Hussein had not forgotten the discipline which he underwent in Egypt, and in appointing a day for the reception of General Stuart at the arsenal, he meditated a singular scheme of vengeance. The plague raged with some violence, and the Pasha ordered two persons dangerously ill to be brought to die in a small chamber, which was kept closely shut up till General Stuart should come.

“In this room the Pasha received his visitors, with a confidence as to himself, in over-ruling fatalism, which it is difficult to account for. He was, however, disappointed in the event; for his preparations produced no further mischief, than alarm to the Greek Prince Callamachi, who being acquainted with the circumstance, reluctantly performed the office of interpreter. I learned the story on the following day, from a lady who visited the Prince's family, and heard it from his own mouth.”

THORNTON'S Present State of Turkey.

in particular, was placed in a situation where his talents might be once more employed for the advantage of the service, and by this time indeed he was looked up to with full assurance, both in respect to ability and success.

France had now begun to assume a still more formidable attitude than before, while Bonaparte, who presided over her destinies, and who had sworn fidelity to the republic, not only violated his own oath, but gratified the utmost extent of his ambition, by the most treacherous means. Determined to ascend to the very summit of power, he first became Chief Consul for life, and then was declared, or, more properly speaking, declared himself Emperor. Not content with this, he proclaimed himself king of Italy, and rendered his name dreadful to all the neighbouring princes. One sovereign, the ally of Great Britain, had long incurred his resentment, and we are sorry to add, that this prince and his consort had at the same time forgotten to secure the hearts of their own subjects. It accordingly happened, that the veteran legions of France had but to present themselves at the gates of their capital, in order to obtain admission.

From Naples, whence he had been before driven by the people, when they assumed for a few months the name of "the Parthenopean Republic," Ferdinand IV. with his family, now retired once more to the island of Sicily, and found security under the protection of an English squadron. Soon after this Napoleon, become, by the caprice of fortune,

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the disposer, as well as the wearer of crowns, conferred the diadem on one of his own brothers,* and found nearly all the potentates of Europe ready, if not eager, to compliment the new prince, who had been just added to the list of sovereigns.

Meanwhile, the partisans of the King of Sicily began to excite commotions in the kingdom of Naples, and Calabria once more became the theatre of insurrection.

Sir John Stuart deeming this a favourable opportunity, determined on an invasion. He was then quartered in Sicily with a considerable body of troops, which having collected, he set sail towards the latter end of September, 1806, and having disembarked about five thousand men at St. Eufemia, immediately commenced active operations. General Regnier, whom he had before met in hostile conflict on the plains of Egypt, on receiving intelligence of this event, collected his scattered forces for the purpose of attacking, and, as he confidently gave out, of defeating the English. He accordingly effected a rapid march from his headquarters at Reggio, with about 4000 infantry and 200 cavalry, together with four pieces of artillery, in full expectation of being joined by a detachment of 3000 men in the course of a few days.

On receiving intelligence of these events, General Stuart advanced against him on the 4th of July, partly with a view of being the assailant, and partly to anticipate the arrival of his succours. Having

* Joseph Bonaparte.

left Major Fisher with four companies of Watterville's regiment, to protect the stores and occupy a work which had been thrown up at the landing-place, while Admiral Sir Sidney Smith made the necessary disposition to cover the whole in case of a retreat, the body of the army marched towards the plains of Maida, ten miles distant, where they found the enemy encamped on the side of a woody hill below the village, which sloped gently towards St. Eufemia, the flanks strengthened by an impervious underwood, while the marshy edges of the river Amato, presented many obstacles in the front, along which it glided.

"Had General Regnier," says the English commander, * "thought proper to remain on his ground, the difficulties of access to him were such, that I could not possibly have made an impression upon him. But quitting this advantage, and crossing the river with his entire force, he came down to meet us on the open plain—a measure to which he was no doubt encouraged, by a consideration of his cavalry, an arm with which unfortunately I was altogether unprovided. After some loose firing of the flanks to cover the deployments of the two armies, by nine o'clock in the morning, the opposite fronts were warmly engaged, when the prowess of the rival nations seemed now fairly to be at trial before the world, and the superiority was greatly and gloriously decided to be our own.

"The corps which formed the right of the advanced line, was the battalion of light infantry, commanded by Lieutenant-colonel Kempt, consisting of the light companies of the 20th, 27th, 35th, 58th, 61st, 81st, and Watterville's, together with 150 chosen battalion men of the 35th, under Major Robinson. Directly opposed to them was the favourite French regiment the 1st legere.

* Dispatch addressed to Mr. Secretary Windham, dated, "Camp on the Plains of Maida, July 6."

“ The two corps at the distance of about one hundred yards, fired reciprocally a few rounds, when as if by mutual agreement, the firing was suspended, and in close compact order and awful silence, they advanced towards each other until their bayonets began to cross. At this momentous crisis the enemy became appalled. They broke and endeavoured to fly, but it was too late; they were overtaken with the most dreadful slaughter.

“ Brigadier-general Ackland, whose brigade was on the left of the light infantry, with great spirit availed himself of this favourable moment, to press instantly forward with the corps in his front; the brave 76th regiment commanded by Lieutenant-Colonel Macleod, and the 91st regiment, under Major Planderleath, both distinguished themselves on this occasion. The enemy fled with dismay and disorder before them, leaving the plain covered with their dead and wounded.

“ The enemy being thus completely discomfited on their left, began to make a new effort with their right, in the hopes of recovering the day. They were resisted most gallantly by the brigade under Brigadier-general Cole. Nothing could shake the undaunted firmness of the grenadiers under Lieutenant-colonel O’Callaghan, and of the 27th regiment under Lieutenant-colonel Smith.

“ The cavalry, successively repelled from before their front, made an effort to turn their left, when Lieutenant-colonel Ross, who had that morning landed from Messina with the 28th regiment, and was coming up to the army during the action, having observed the movement, threw his regiment opportunely into a small river upon their flank, and by a heavy and well directed fire entirely disconcerted this attempt. This was the last feeble struggle of the enemy, who now astonished and dismayed by the intrepidity with which they were assailed, began precipitately to retire, leaving the field covered with carnage.

“ Above 700 bodies of their dead have been buried upon the ground. Their wounded and prisoners already in our hands, (among whom are General Compere, and an Aide-de-camp, the Lieutenant-colonel of the Swiss regiment, and a long list of officers of different ranks), amount to above 1000. There are also

above 1000 men left in Monteleone, and the different posts between this and Reggio, who have mostly testified their readiness to surrender, whenever a British force shall be sent to receive their submission and to protect them from the fury of the people. The peasantry are daily bringing in fugitives, who dispersed in the woods and mountains after the battle.

"In short, never has the pride of our presumptuous enemy been more severely humbled, nor the superiority of the British troops more gloriously proved, than in the events of this memorable day. His Majesty," adds the General, "may perhaps still deign to appreciate more highly the achievements of this little army, when it is known that the second division which the enemy were said to be expecting, had all joined them the night before the action; no statement that I have heard of their numbers, places them at a less calculation than 7000 men.

"Our victorious infantry continued the pursuit of the routed enemy so long as they were able; but as the latter dispersed in every direction, and we were under the necessity of preserving our order, the trial of speed became unequal. The total loss occasioned to the enemy by this conflict, cannot be less than 4000 men. When I oppose to the above our own small comparative loss, as underneath detailed, his Majesty will I hope discern in the fact, the happy effects of that established discipline to which we owe the triumphs by which our army has been latterly so highly distinguished.

"I am now beginning my march southward, preparatory to my return to Sicily, for which station I shall re-embark with the army, as soon as his Sicilian Majesty shall have arranged a disposition of his own forces to secure those advantages which have been gained by the present expedition."

It is evident from the above details, that the action was at once decisive and complete. True it is, however, that the same splendid events did not ensue, as occurred to the enemy after the battles of Hohenlinden and Marengo, in the former, or of

Austerlitz and Friedburg, during the present war. Cotrone indeed, with all its stores, magazines, and ammunition surrendered. General Regnier was forced to retreat precipitately towards Tarento, and the whole province of Calabria ultra, was evacuated by the French. But on the other hand, the problem was happily solved relative to the prowess of the two opposing armies, and the skill of our generals, which some had hitherto affected to hold in contempt; these having now been fairly put to the trial, the result proved highly honourable to the British arms.

Meanwhile the nation was zealous to pay due honour to the gallant commander and his brave troops. The Park and Tower guns were fired on receiving the intelligence, a Gazette Extraordinary was published, and every possible demonstration of public joy took place.

On the 22d of December, 1806, Lord Grenville proposed a vote of thanks in the House of Peers, which was immediately decreed, without a single dissentient voice. In the course of the same evening Mr. Windham, then Minister at War, also made a similar motion ;

He observed, " That this action added more than almost any one that had been fought in modern times to our national glory, which was one of the most valuable possessions that any country could boast of. Other services, it was stated, had contributed largely to the strength and prosperity of the empire, but the peculiar value and importance of this was, that it augmented in a great degree the military renown and character of the British armies.

"If ever there was a period in which it was peculiarly necessary that the national feeling and the military renown of the country should be high, it was now, when all the world appeared to be turned into one great lump—when military occupations had every where taken place of all the pacific arts of life.

"We had not lately so many opportunities of gaining glory by land as by sea; and upon that account our enemies had worked themselves up to believe, and had endeavoured to persuade the world, that our military power was confined to operations by sea; and by no means equally celebrated by land. They represented us as having a talent, or a sort of a knack at gaining battles on the ocean; but the immediate tendency of this action would be to convince the world, that by the marked valour of our soldiers, we are by land a full match for their boasted and experienced veterans.

"It had been proved by documents found on the persons of French officers who had been killed, that their numbers amounted to 8000, and we had stated the loss of the enemy at 700 killed, whereas it afterwards turned out to be 1300; they had also lost 1800 prisoners; 2002 more were captured, while the whole of our force only amounted to 5000." He concluded by moving—

"1st. That the thanks of this House be given to Major-general Sir John Stuart, for the eminent ability and intrepidity which he displayed in the battle on the Plains of Maida against a superior force, which ended in the signal defeat of the enemy.

"2d. That the thanks of this House be given to Brigadier-general Laurie Cole, and Brigadier-general Ackland, and the other officers of the army under Sir John Stuart, for having so highly contributed to the victory on the Plains of Maida.

"3d. That the thanks of this House be given to the non-commissioned officers and soldiers of the army under Sir John Stuart, for their valour and gallantry displayed in the battle of Maida, and that Sir John Stuart be requested to communicate the same to the troops.

"4th. That the Speaker do transmit these thanks to Sir John Stuart, and the officers under his command."

Lieutenant-general Sir John Doyle seconded the motions in a maiden speech.

The motions were then agreed to *nem. con.*

Soon after this, Sir John Stuart was invested with the *insignia* of the most honourable military Order of the Bath; the regiments which had distinguished themselves, were permitted to bear the word "Maida, as a testimony of their gallantry, both in their colours and appointments;* medals†

* Horse-Guards, Feb. 24, 1807.

His Majesty has been pleased to grant his most gracious permission to the following regiments of infantry, viz. the 20th, 27th (or Inniskillen), the 58th, the 78th, and the 81st, and to the regiment of Watteville, to assume, in addition to any other devices or badges to which they may be severally entitled, and to bear in their colours and on their appointments, the word "Maida," as an honourable and lasting testimony of the distinguished gallantry displayed by those *corps* in the action fought on the 4th of July, 1806, on the plains of Maida, in Calabria.

By order of his Royal Highness the Commander-in-chief.

HARRY CALVERT, Adjutant-general.

† The medals were ordered to be distributed as follow :

1. To Major-general Sir John Stuart, K. B.
2. Brigadier-general Cole, 1st brigade.
3. ——— Ackland, 2nd ditto.
4. Colonel Oswald, 3d ditto.
5. Lieutenant-colonel Mone, 23d dragoons.
6. Lieutenant-colonel Watteville, regiment de Watteville.
7. Lieutenant-colonel O'Callaghan, grenadiers.
8. Lieutenant-colonel Kempt, light infantry.
9. Lieutenant-colonel Ross, 28th foot.
10. Lieutenant-colonel Johnston, 58th ditto.
11. Lieutenant-colonel Smith, 27th ditto.
12. Lieutenant-colonel M'Leod, 78th ditto.
13. Major Plenderleath, 81st ditto.
14. Lieutenant-colonel Bunbury, staff.
15. Major Lemoine, artillery.
16. Mr. Grimes, inspector of barracks.

were also struck on the occasion ; a model in commemoration of the victory, was exhibited in the Royal Academy, and one of the new buildings of the capital was decorated with the name of the plain in Calabria, where England had reaped her laurels.

The General himself was soon after rewarded with the command of the 74th regiment of foot, and was also appointed Lieutenant-governor of Grenada. We have already observed, that early in life he received a wound in the groin, while combating in America, and that on the memorable 4th of July, he received a blow by the fall of his horse, which was wounded under him.

His health even now is far from being confirmed, but his mind, animated with the same energetic zeal, burns with all its pristine ardor to fight the battles of his country.

DR. HENRY BATHURST,

LORD BISHOP OF NORWICH.

“ Dignum laude virum Musa vetat mori.” HOR.

THE clergy have always enjoyed an extraordinary degree of respect and pre-eminence in England. The Druids, at once priests, legislators, and judges, were exempt from taxes, as well as military service ; they were consulted as oracles, and they punished the refractory by means of penalties so dreadful, that death itself was deemed less terrible

than excommunication. After the retreat of the Romans, the conversion of a portion of the Saxons was effected by the piety of Bertha, the zeal of Augustin, and the charitable interposition of Gregory the Great, and such a lively interest had the church excited towards the conclusion of the heptarchy, that we find the people pertinaciously engaged in disputes about the celebration of Easter, and the form of the clerical tonsure !

The appeal from Winifred, Archbishop of York, to Rome, and the grant of tythes by Ethelwolf, at once confirmed the supremacy of the Pope and the opulence of the priesthood. At length St. Dunstan* completed the authority of the Holy See, by establishing the celibacy of ecclesiastics.

The countenance of the reigning Pope to the invasion of William the Norman, and the support afforded to the pretensions of that warlike prince, by the foreign dignitaries residing in England, proved in the end not a little favourable to the prelacy. The distribution of property by the Conqueror, exhibits a conclusive proof of this assertion ; for of the 60,215 knight's fees into which he

* St. Dunstan, Archbishop of Canterbury, is said at one time to have been suspected of "licentious manners." This is not at all surprising, considering what bad *company* he kept, for we are gravely told, that the devil having one day called upon him in his cell, which was so small that he could not stretch out his limbs in it when he slept, he seized his visitor "by the nose with a pair of red-hot pincers," and sent him away howling. This obtained for him, first the see of Worcester, and then the Primacy !

divided the kingdom, there were no fewer than 28,015 held by ecclesiastics. Such an immense power and influence, alarmed future kings, and we soon after find Anselm, Archbishop of Canterbury, supported by Pascal II. triumphing over Henry I. a prince of great talents, who was, however, humbled in the dust, and obliged not only to resign several of his prerogatives, but even to cut off his "long hair," because deemed offensive to the priesthood.

We gladly pass over this gloomy period with hasty steps, and would willingly dwell on the memorable and glorious epoch, which led to the formation of our boasted constitution. On that occasion, the clergy of the Anglican church, headed by the Cardinal Archbishop Langton, a native of our own country, obliged King John to sign the charter of Liberty at Runnymede. In this grand act the Catholic ecclesiastics cheerfully coincided, and without them, our liberties, perhaps, would never have been achieved.

At length Henry VIII. the most cruel, vindictive, and tyrannical prince who had ever sat on the English throne, became the happy instrument of a separation from the church of Rome, which had freely enjoyed and scandalously abused her pretended apostolical powers. Heaven on this occasion was pleased to recur to a worthless engine, for the reigning monarch was doubtless incited alike by his lust and his avarice to this singular project, as it originated in his passion for a female, and was

followed, by the confiscation of the estates of the religious houses, which amounted to 161,000*l. per annum*, a sum then equal to about one-half of the national income.*

From that moment the church of England spurned at the idea of foreign interposition, and the clergy have been in general eminent for their piety and abilities. In fine, her discipline has been maintained, her power supported, and the honours of the hierarchy augmented, by a succession of illustrious men, among whom we rank a Sherlock, a Secker, a Hoadley, a Warburton, a Hurd, and a Bathurst.

The dignitary who forms the subject of this memoir, was born about the year 1748. His descent

* The worldly power of the clergy has been undoubtedly diminished by the Reformation, as well as their possessions; on the other hand their order has been constantly supported and upheld by all the authority of the state. Anterior to the disputes with the court of Rome, their political influence was commensurate with the extent of their lands; for previously to the dissolution of the monasteries, in addition to the archbishops and bishops, twenty-six mitred abbots, and two priors sat in the House of Peers, forming together, a body equally numerous with the temporal nobility.

During the Saxon period, their lands were held by the spiritual tenure of *frank almoign*, but they now hold by *barony*. At this moment, in consequence of a very nice distinction, they are not "peers of the realm," but merely lords of Parliament: and yet as such they sit, vote, and decide with equal authority as the temporal dignitaries, with whom indeed they enjoy a co-equal and concurrent jurisdiction. See Stamford, P. C. 153, and also Blackstone's Commentaries, vol. 1. p. 157, 8vo. edition.

is very respectable, being of the same* family as the celebrated Allen Lord Bathurst, the friend of Swift, Pope, Addison, and all the great men of the reign of Queen Anne, and of the same name as his son, Henry Earl Bathurst, who, we believe, was his godfather.

Having been intended early in life for the church, he was educated at Winchester school, whence he removed to New College, Oxford. There, after the usual formalities, Mr. Bathurst obtained the degree of Bachelor of Civil Law, October 27, 1768. Eight years after this (June 5, 1776), he *proceeded* Doctor of Civil Law, and became a Canon of Christ-church. As one of his relatives was soon after appointed first, Keeper of the Great Seal, and then Lord Chancellor, the brightest honours of the clerical profession were now presented to his view.

His first preferment† was the living of Cirencester, in the county of Gloucester, which is the parish in which the Bathursts have long possessed the chief, if not sole property; it is celebrated for

* "This family," says Collins, vol. v, p. 443 of the *Peerage*, "was originally seated in Sussex, at a place called Bathurst, not far from Battle Abbey, of which they were dispossessed, and the castle demolished, in the troublesome times of the dispute between the houses of York and Lancaster, and nothing now remains but a wood, called *Bathurst Wood*, where may be found some of the ruins.

† Dr. B. is still Vicar of Cirencester; he resigned his prebend on his elevation to the see of Norwich, of which H. Bathurst L. L. B. is Chancellor.

woods planted by the first Lord, which at once enliven and enrich it, and will *look verdant* for ages yet to come, in the classical poetry of the bard of Twickenham. After many years residence at Oxford, he obtained a prebendal stall in the cathedral church of Durham, where he retired with some degree of reluctance, and during his *residence*, contributed greatly to the maintenance of that hospitality which then eminently distinguished this northern city, and is still continued, it is to be hoped, to the present day. Dr. Thurlow, brother to the Chancellor of that name, and the Hon. Shute Barrington, were the two contemporary bishops of that opulent see.

It was not till 1805, that Dr. Bathurst obtained a mitre. On this occasion, he succeeded Dr. Charles Manners Sutton in the see of Norwich, when that prelate, by translation to Canterbury, became Primate of all England.* On this occasion, Richard Prosser, D.D. a prebendary of Durham, on the 28th of April, 1805, preached the consecration sermon at Lambeth chapel, which was afterwards published at the command of his Grace the Archbishop. The subject was "the unity of the Christian body," and the deductions were liberal, it being contended, that there is more wisdom and charity in recollecting the agreement as to points of

* The bishopric of Norwich is only valued in the king's book at 899*l.* 18*s.* 7½*d.* and has been usually computed to be worth 3000*l.* per annum, but the revenues now exceed that sum. The present is the 85th Bishop.

the highest value, "than in tearing it asunder about matters of external and formal concern."

Immediately after this, the Bishop of Norwich entered on the duties of his sacred office, and on his primary visitation to his diocese in 1806, delivered a charge to the clergy, since printed at their request, and dedicated to them. In this "composition," he congratulates himself on being placed over such a respectable a body of men.

"I shall study," says he, "to conciliate their affection and esteem, not however by any mean unmanly compliance with the prejudice, the passions, or the selfish views of individuals, and still less by granting any indulgence to idleness, or the least wilful neglect of that solemn obligation which we all of us entered into when we were ordained; but by giving every one who may have occasion to come to me, a patient hearing and a kind reception, and the few who can want it the best advice which it is in my power to suggest. I know," adds his lordship, "how difficult it is to please all men, be their situation in life what it may; nor am I solicitous to do this; but the approbation of the wise and good of every rank, and of every age, I am truly desirous of obtaining, because I consider such approbation as the best earthly reward of those humble but strenuous efforts, which I am called upon by so many motives to exert, and will endeavour to exert, in support of a cause so deeply interesting to us all: I mean the cause of religion and morality."

In conformity to the ancient custom of a Bishop, delivering his sentiments respecting some of those leading topics connected with the clerical profession, his lordship next presents "a general view of religion."

"In this country, from the period of the Reformation to this very hour, the established church has been incessantly exposed to a variety of attacks, from persons of a very different description,

and from opinions of a very different tendency. There was a time, when the danger from the increase of Popery was thought to be so alarming, that the abilities of the statesman and of the divine were almost exclusively directed to that single quarter. In the theological controversies which took place between the learned of both parties for more than a century after the glorious æra I have just mentioned, the superiority of the Protestant writers over their adversaries, both in erudition and argument, has, I believe, very rarely been questioned. Happy would it be for mankind, if in matters of this nature, recourse were never had to any other weapons but those of reason and learning; but unfortunately these weapons alone were not then thought to be an adequate security either for church or state: laws, therefore, were enacted against known and even against suspected Papists, which (as the late Lord Mansfield long since observed) can be defended upon no ground but that of necessity. Force, however, in the concerns of religion is unblessed and unavailing, or at least can produce only a transient effect; and this has uniformly proved to be the case wherever it has been made use of. This obvious and important truth seems now to be admitted on all sides. More enlightened and just ideas of toleration have of late prevailed, and have every where taken place of that overheated religious zeal, which is alike the bane of public peace and of private comfort. Christians, of all denominations alike, appear at last to be convinced, that they are not required by their great Master, or by the maxims of sound policy, to support any particular mode of religious worship, by means directly in opposition to the end and design of all religion. It is but justice to say, that the Roman Catholics of this age and country have not been behind hand with Protestants, in adopting these liberal and truly Christian sentiments. Their conduct upon some recent occasions, and the unequivocal declarations made by them in a variety of publications, are strongly expressive of their total disapprobation of compulsion in religion, and also decidedly prove, that they disclaim many of those highly exceptionable tenets, which were once a part of their creed. It would, therefore, be very unfair to involve in the guilt of the misguided zealots of former days, a body of men of a far different

character, and to whom it is our duty, and should be our inclination, to shew every mark of benevolence, both as Christian brethren, and as deserving fellow subjects.

“The entire overthrow of our ecclesiastical establishment, during the interregnum by *sectaries*, of various denominations, and the frequent perils to which the established church was exposed at the Restoration, and for many years after that time, by persons of the same description, made it necessary for the legislature, who wisely considered the church as an integral part of the state, to pass laws for its safety, which it must be confessed, were in some instances as severe in their operation upon Protestant non-conformists, as those to which Catholics were made liable. Irritated by the indignities which she had suffered, and exasperated by the severities which she had experienced during the unfortunate period I have mentioned, if the church of England did not always shew that lenity and moderation which are her general characteristics, it is not much to be wondered at.—It would be matter of surprise if she had; indeed the exigency of the times frequently demanded rigid statutes, and this exigency is their best justification; because the pressure of peculiar circumstances may, under the most free government possible, warrant very strict and even oppressive regulations of a temporary nature, if the public safety clearly demand such; these regulations, however, no wise statesman will wish to enforce, when the circumstances which occasion them no longer require their continuance; but exactly *how long* they shall continue and when they shall cease, is a question which an able *practical* statesman is alone competent to decide.

“With respect to our dissenting brethren of this day, as they have, with a very few exceptions, laid aside that passionate invective, that offensive, acrimonious manner, both of writing and of speaking, which they formerly too much practised, it is highly incumbent upon us, in return, to feel for them, however differing in the forms of external religious worship, or in points of doubtful-disputation, all that good-will and cordiality which they seem disposed to shew us; and it is more particularly our duty to do this at the present very serious crisis, when union is so loudly called for from all quarters, and is so much wanted: a crisis when

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we are threatened with invasion by the common enemy of every country which has a territory worth plundering, or a constitution worth subverting. At such a crisis, it is surely requisite not only to lay aside every emotion of resentment, but to cultivate a cordial good-will towards Christians of every description, who are warmly attached to our civil constitution, and agree with us, moreover, in the great essentials of Christianity.

“ Upon an occasion like this, when I deliver an opinion so strongly in favour of our Catholic and Dissenting brethren, I do not mean to say that the clergy of the church of England live in those halcyon days when ‘righteousness and peace have kissed each other,’ and that instead of exerting all possible ‘care and diligence,’ they may ‘sleep and take their rest:’ this is by no means my intention. He, indeed, must survey the world around him in a very superficial manner, who can entertain such an idea. From the first preaching of the gospel to this very moment, vigilance and activity have always been, and will, I fear, never cease to be, indispensable requisites in every minister of that gospel, and certainly were never more so than now; because, though I admit, and I firmly believe it may truly be admitted, that we have no danger to apprehend either from Catholic or Protestant non-conformists, the established clergy have, notwithstanding, full occasion for unwearied attention to the great business in which they are engaged. Secure as the church of England may be thought from external attacks—*Intus est hostis*—The unity of this church is disturbed, and its very existence endangered more and more every day; on the one hand, by the mistaken zeal of ill-informed enthusiasts; and on the other, by that widely spread indifference and luke-warmness which have pervaded so large a portion of its members. It is hard to say which of these two extremes is most unfriendly to that pure and perfect system of faith and manners which we profess.”

After this the Bishop alludes to those who “lay claim to irresistible influxes of divine grace.” He does not accuse them without distinction, of endeavouring to impose upon others; but his lordship is

thoroughly persuaded, that in many instances they deceive themselves; "oppressed with melancholy, or intoxicated with vanity," adds he, "they mistake the wild conceits of a disordered fancy for the real influence of that spirit which 'cometh down from the Father of lights,' and the genuine source of which is in all cases best known by its fruits." To combat these, he very properly recommends, not persecution or violence, but increased diligence, patience, and meekness, and above all, private personal instruction.

In respect to those who are termed "Evangelical Preachers," the bishop wishes not to revive animosity or rekindle disputes, and still less to pass an indiscriminate censure upon many pious and learned clergymen.

"On the contrary," adds he, "I am so far from thinking ill of these persons, that I believe they are often represented as promoters of enthusiasm, for no other reason but because they are more deeply impressed with a sense of the important duties attached to their profession, than many who object to their conduct. I must however unequivocally declare, that to assume a title which appears to distinguish one part of the established clergy from another, to alienate a flock from their regulated appointed pastor, by exercising the spiritual gifts of preaching, or of exhorting whenever or wherever any zealous individual may think fit, can have no tendency but to injure our ecclesiastical establishment, by creating divisions, where union is so indispensably requisite."

The following quotation has become a subject of animadversion, and has been considered by some, notwithstanding the concession made, as not strictly accordant with that uniform liberality so emi-

nently and so worthily displayed on every other occasion.

“ Nor is this all : that most important of all objects in every point of view—I mean the moral and religious improvement of the lower orders of society, would thus (by ‘teaching from house to house’) be effectually obtained in the most unexceptionable manner, and the rising generation would be taught the doctrines and the precepts of the national religion, according to the plan of education established by our pious and judicious fathers at the Reformation ; a plan which, as a member of the church of England, I must be permitted to prefer to the *generalizing system* of Mr. Joseph Lancaster, who is now so much talked of ; of which system, notwithstanding whatever merit it may have in other respects, the distinguishing doctrines of christianity make no part : at the same time, I am ready to bear full testimony to the benevolent intention of this humane and active friend of the poor ; and also to the ingenuity displayed in carrying some parts of his system into execution. I should, however, be exceedingly sorry to see his ‘Institutes of Christianity,’ whenever they make their appearance, supersede the use of our incomparable Church Catechism, and be substituted in the room of the Creed, the Lord’s Prayer, and the Ten Commandments.”

In 1808, the Bishop of Norwich was nominated to preach on Saturday, January the 30th, before the Lords spiritual and temporal, “being the day appointed to be observed as the day of the martyrdom of King Charles I.” The execution of this monarch, whom churchmen have been sometimes pleased to consider as “one who died for the truth,” is at once a very equivocal, and a very delicate portion of our history. To say the zealots of that day were entirely right, would be to concede too much ; and on the other hand, not to admit the

King to have been in the wrong, *ab initio*, would be a gross violation of the laws and the constitution of this country. To get rid of the difficulty, it was usual, for some time anterior to the French Revolution, for both Houses of Parliament to *adjourn over that day*; but since the very unjust sentence against Louis XVI. the ancient custom has been revived.

The following text, on this occasion, was very appropriately chosen from 1 Samuel, chap. viii. v. 19. "Nay, but we will have a king over us."

"It is hardly necessary to observe," says his lordship, "that there is not perhaps in the annals of the world, no, not even in the revolutionary period in which we live, any one event, from which a more affecting lesson may be drawn, by persons of every rank and situation of life, than that which we are here assembled to commemorate; especially if the causes which produced, and the sad effects which followed it, be investigated with seriousness and impartiality. Such investigation, however, can be of no real service to us now, unless we carefully remember, that the annual commemoration of this day, is not enjoined us for the purpose of keeping alive the narrow party prejudices of a former age, or the still more narrow prejudices of an over-heated religious zeal, which in all ages alike have been, and will never cease to be, the bane, both of public prosperity and of private happiness.

"The great end and design of the fast we at present solemnize, is of a far different nature; it was originally instituted, and is now continued, in the first place, to excite in us, an heartfelt abhorrence of those sins, which once brought down upon this nation the heavy judgments of God; and in the next place, to teach us the indispensable duty of subduing in ourselves, that uncharitable and vindictive spirit towards those who differ from us, either in politics or in religion, which we justly censure in our forefathers;

and instead of it, to put on moderation and meekness; forbearance and candour, which are the best characteristics of a Christian, and by the exercise of which, we can alone effectually promote the due observation of this day. 'A day of trouble, and of rebuke,' a day notwithstanding, the remembrance of which cannot fail of furnishing both to power and to licentiousness, a lesson which they frequently stand in need of, though they rarely are disposed to listen to. Those who study history, as history ought always to be studied, I mean without any preconceived bias on their minds, will readily admit, that at the period, which on the present occasion we are unavoidably led to consider, 'both the monarch and the representatives of the people, were, in their turns, very much in the wrong, though not always, nor on the same occasions,' as is justly observed by the most impartial historian* we have.

"It would be no very difficult task to illustrate the truth of this remark, by an appeal to a variety of particular instances; but it appears to me, that I shall more usefully discharge the duty which I have undertaken, by enforcing as strongly as I can, some among the many important inferences resulting from those well known historical facts, which will immediately occur to the recollection of all who hear me. Inferences, which it is the duty both of princes and of subjects, most attentively to consider. The former may learn from the tragical end of a Sovereign, of whom it is said by those who are least partial to his memory, 'that he might be reckoned one of the most accomplished princes that has ever been on the English throne,' if his many exemplary and excellent virtues had not been allayed and discredited by a love of arbitrary sway, and by an inattention to the character, and to the spirit of his people.

"They may learn, I say, from this sad event, never to affect any power beyond what is trusted to them by the constitution of the country, which they are called by Providence to govern; and constantly to bear in mind, that as the good of the people is the only legitimate end of government, so a free people will always regard liberty as their chief good. Above all, they may learn to

* Rapin.

consider as very suspicious friends, or rather as dangerous enemies; those who advise them to lay down their will as a law, and, 'to hold that for honourable, which pleaseth; and for just, that which profiteth;' which was in those days, as we are informed by the noble historian, the usual language of the council table, and the star chamber. If the transactions of this unhappy æra afford a lesson thus striking to kings and magistrates, they furnish at least an equal degree of instruction to the people at large. Subjects of every description and denomination, may learn from the anarchy and the confusion, the misery and the oppression of those wretched times, to estimate, as they deserve, the superior advantages of living under a constitution of government, which equally secures to the Sovereign and the subject, the legitimate exercise of their respective rights. They cannot but learn, from the crimes and the follies of their forefathers, that it is as contrary to their interest, as it certainly is to their duty, to look upon every indiscreet measure, every harsh expression, every trifling mistake, or even every personal injury, committed by those who rule over them, as a settled premeditated invasion of their rights; and therefore, as justifying on their parts, not only a turbulent resistance of authority, but also a mad attempt to pull down upon their heads, a venerable fabric which has afforded them shelter and protection for ages; and this, without any reasonable prospect of erecting a better in its room. A degree of madness, not inferior to that which a company of mariners would be guilty of, who, when a storm arose, should resolve to drive their ship against a rock, in hopes, if they survived, of being able to build a more convenient one with the scattered fragments of the wreck."

The Bishop after this observes, that it has been frequently remarked by writers, both of our own and of other countries, that we are a nation of politicians. Far from disavowing this, he remarks with great justice, "that political arguments belong peculiarly, I had almost said exclusively, to a free people. As long therefore," adds he, "as we have a public interest, which it is incumbent upon us to pursue, and public rights, which it is our duty to defend, as long as we have 'a king to serve, and a country to embrace;' so long we shall naturally, and unavoid-

ably, be led to take a warmer part, and feel a deeper concern in political transactions, than those who live under a less perfect, because a less free form of government. We should indeed be culpable if we did not. Nor will such interference, whilst it is confined within the bounds of reason and moderation, be injurious either to private or to public happiness. The exact extent of these bounds it may not perhaps be easy, in all cases, to ascertain with precision. The point must be sometimes left to the good sense and judgment of individuals; and it may be safely left, because there are very few of us so ill-informed as not to know, that a disposition to censure, without due reflection, the conduct of those appointed to rule over us, and to complain of the inconveniences we suffer, regardless of the benefits we enjoy, is, in every point of view, a dangerous and a reprehensible turn of mind. But though it must be allowed that petulant self-conceit, or querulous remonstrance, may now and then embarrass, and even defeat the best-concerted measures of government, yet at the same time it cannot be denied, that a *lazy, dull* indifference to the character and actions of those who conduct these measures, or a want of attention to the tendency of the measures themselves, are productive, in a constitution like ours, of still more and still greater evils."

His lordship next animadverts on the folly of those who assert that, "monarchy is an absurdity" and "hereditary monarchy a still greater." But while the good Bishop points out, on one hand, the dangerous tendency of extravagant political theories, equally in opposition to reason and to scripture, he inclines not to run into the opposite extreme, by "wishing to inculcate those slavish principles of government, which (fortunately for us all) have been long since forgotten or despised, and which never had the sanction either of reason or of revelation to support them. The gospel adds

nothing to the prerogative of kings, nor does it diminish the privilege of subjects; it leaves the state of both to be determined by the particular *constitution, laws, and customs* of their respective countries."

Having thus contemplated the Bishop of Norwich in his character of an eminent dignitary of the church of England, and not merely noticed, but quoted largely from the only two publications to which his name has been affixed, we are now to consider him as a lord of Parliament.

It may have been already perceived, that this prelate is extremely liberal in respect to those who differ from him, either in politics or religion. It will be less surprising, therefore, that contemplating the *Catholic question*, both in regard to its doctrinal effect and its immediate policy, he should have advocated that side of the subject which leans towards mildness. When we consider the number of those in Ireland addicted to the worship of the church of Rome, and contemplate the very delicate situation of that portion of the empire, there is good reason to pause, in respect to the continuance of our ancient policy.

Lord Grenville, accordingly, on the 27th of May, 1808, moved for the House of Lords, "to resolve itself into a committee, to consider of the petition of the Irish Catholics." After a long and able address, which led to a most important and interesting debate, he was supported by the Bishop of

Norwich in the following, which is a *maiden* speech.

“ I rise, for the first time in my life, to address your lordships, and I rise with unaffected reluctance ; not because I entertain the smallest doubt respecting either the expediency, the policy, or the justice of the measure now under consideration, but because, to a person in my situation, it must be exceedingly painful (however firmly persuaded he may be in his own mind) to find himself impelled, by a sense of duty, to maintain an opinion, directly the reverse of which is supported by so many wise and good men, who belong to the same profession, and who sit upon the same bench with me. Important occasions, however, sometimes arise, on which an individual may be called upon to avow his own sentiments, explicitly and unequivocally, without any undue deference to the judgment of others. Such an occasion I conceive the present to be, and shall without further apology, trouble your lordships with a few remarks.

“ I have considered, with all the care and attention of which I am capable; the various arguments which are urged against the petition in favour of the Catholics of Ireland, which has, this day, for the second time, been presented and supported by the noble baron on the other side of the House, with his usual abilities, and at the same time, with that well known regard for the real interests of the established church, for its peace, its security, its honour, and its prosperity, which forms, and has always formed, so distinguished a part in the character of that noble lord. These objections, my lords, numerous as they are said to be, may all of them I think be reduced under four heads.

“ In the first place, it is asserted, or rather strongly insinuated, that the religious tenets of the Catholics are of such a nature, as, *per se*, to exclude those who hold them from the civil and military situations to which they aspire. It is next said, that if this were not the case, these situations are matters of favour, not of right, and therefore the Catholics have no just cause to complain, that they are excluded from them. In the third place, we are

told, that if it were admitted that the measure was, abstractedly considered, just and right, it would be highly inexpedient to repeal statutes, which were passed after much deliberation, and are considered by many as the bulwarks of the constitution, in church and state. And, lastly, there are some who contend, that if there were no other objection, the words of the coronation oath present an insuperable bar to the claims of the Catholics. I shall not detain your lordships long in the examination of these objections, because they have been repeatedly discussed, and, as it appears to me, very satisfactorily refuted, by far abler men, both in this House and out of it.

“ With respect to the religious tenets of the Catholics of the present day, it is not a little singular, my lords, that we will not allow them to know what their own religious tenets really are. We call upon them for their creed, upon some very important points, and they give it us without reserve ; but, instead of believing what they say, we refer them, with an air of controversial triumph, to the councils of Constance, or Tholouse, to the fourth Lateran council, or to the council of Trent. In vain they most explicitly and most solemnly aver, that they hold no tenet whatsoever, incompatible with their duties, either as men or as subjects, or in any way hurtful to the government under which they live. In vain they publish declaration upon declaration, in all of which they most unequivocally disavow those highly exceptionable tenets which are imputed to them, and not only do they disavow, but they express their abhorrence of them. In vain they confirm these declarations by an oath ; an oath, my lords, framed by ourselves, drawn up with all possible care and caution, and couched in terms as strong as language affords. In addition to these ample securities for the principles and practice of this numerous and loyal class of our fellow-subjects and fellow-christians, a great statesman, now unhappily no more, caused to be transmitted a string of very important queries to the principal Catholic universities abroad, for the purpose of ascertaining with precision, the sentiments of the Catholic clergy, respecting the real nature and extent of the papal power, and some other weighty points. The answers returned to these queries, by those learned bodies, appeared to me,

at the time as they do now, perfectly satisfactory, and in the same light they were considered by most dispassionate men.

“Notwithstanding all this, a concealed jealousy of Catholics still lurks about by far too many of us—a jealousy, in my opinion, as unworthy of a frank and enlightened people, as it is injurious and cruel towards those who are the objects of it. For, surely, my lords, if there be one position more incontrovertibly true than another, it is this—if an individual, or a body of men, will give to the government under which they live, such a security, upon oath, as that government itself prescribes; if, moreover, they maintain no opinions destructive of moral obligation, or subversive of civil society, their speculative opinions, of a religious nature, can never, with justice or with reason, be urged as excluding them from civil and military situations. The Catholics, my lords, give this security, and having given it, the legislature itself has declared that they ought to be considered as good and loyal subjects; as such, therefore, in my view of the subject, they are unquestionably entitled to the privileges which they claim.

“When I speak of merely speculative opinions of religion, I wish to be understood as meaning such opinions as begin in the understanding, and rest there; and have no practical influence whatsoever upon our conduct in life. With this limitation, I am not sensible that there is any fallacy in the argument which I have made use of; if there be any, I shall be happy to have it pointed out, as I cannot possibly have any motive in view, but what, from my heart, I believe to be the truth. Should an unfortunate and deep-rooted prejudice prevail, so as to make us to say, decidedly and openly, that we will not believe a Catholic, even upon his oath—there is an end, my lords, of the discussion at once. But the argument, if argument it can be called, proves a great deal too much, and for this plain reason—no obligation more binding than that of an appeal to the Supreme Being, by an oath, has hitherto been devised in civil society.—He, therefore, who can justly be supposed capable of setting at nought such an obligation, upon any pretence whatsoever, is not only unworthy of the privileges here contended for, but he is unfit for all social intercourse of every kind: *Vetabo sub iisdem sit trabibus*. Harsh and horrid

as the expression must sound in your lordship's ears, he ought to be exterminated from the face of the earth, or at least he should be banished for life to Botany Bay; and even, when arrived there, he should be driven back into the sea; for there is no den of thieves, no gang of robbers, no banditti so thoroughly profligate, and at the same time so devoid of common understanding, as to admit that man a member of their community, upon whose fidelity to his engagements no reliance can be placed even for a single hour.

"I come now to the second objection, my answer to which will be very short: civil and military appointments are, it seems, matters of favour, not of right, and therefore the Catholics have no just cause to complain that they are excluded from them. I can hardly, my lords, conceive any man in earnest who regards this distinction as applicable to the present case, because no one pleads for an abstract right to these situations, but for a capacity of holding them. No one contends for the absolute possession of civil and military offices, but for equal eligibility to them; and having endeavoured to prove that all men are equally eligible, who give to the government under which they live such a security, upon oath, for their conduct as subjects, as that government itself prescribes, and who maintain no opinions destructive of moral obligation, or subversive of civil society, I shall only add here, that they are so considered in almost all the governments of Europe, and over the whole continent of America; and I shall be sorry to see England the last to follow so good an example. 'But it is inexpedient,' we are told, 'to repeal statutes which are passed with much deliberation, and are considered by many as the bulwarks of the constitution in church and state.' How long, my lords, it may be thought expedient, or necessary, that the remaining parts of these restrictive disqualifying statutes should be enforced against the Catholics, or at what precise period their operations shall end, is a question, not for a divine, but for lawyers and statesmen to decide. I may, however, be permitted to observe, that under any government, however free, though peculiar circumstances may, perhaps, call for statutes of a very strict and even of a very severe nature, for a limited period of time; yet no wise statesman would, I imagine, wish those statutes to remain unre-

pealed a moment after the circumstances which occasioned them cease to exist.

“Those who are acquainted with the history of the statutes here alluded to, and of the times in which they passed, will anticipate my application of this remark ; the application of it is, indeed, made for me by a very eminent lawyer, and a very candid friend to the ecclesiastical as well as to the civil constitution of this realm. This able writer observes more than once in his Commentaries, that ‘ whenever the period shall arrive when the power of the pope is weak and insignificant, and there is no pretender to the throne, that then will be time to grant full indulgence to the Catholics.’

“That time, my lords, is now come ; there is no pretender to the throne ; and, with respect to the papal power, not a single person present apprehends. I am thoroughly persuaded, any danger from it. In truth, that once gigantic power ‘*magnis nominis umbra*,’ and nothing more. Where, then, can be the objection to granting the petition of the Catholics of Ireland ? A petition founded on the immutable principles of reason and of justice ; a petition also which worldly policy loudly calls upon us to accede to in the present very serious crisis ; a crisis which demands the union of the wise and brave of every description, and of every denomination ; that cordial union, I mean, which is most assuredly the best support, and indeed the only secure bulwark of every government upon earth. It is unnecessary to add, that an union of this kind can be obtained only by confidence and conciliation. But if worldly policy did not thus loudly call upon us, a principle of gratitude should lead us to pay all the attention in our power to these numerous, loyal, and respectable petitioners, to whom we are, in a great measure indebted, for the noblest monument of wisdom and beneficence combined, which modern times have seen. I mean the union of Ireland with England—an union which, without their cordial co-operation, could never have been effected. In reply to these observations, which appear to me to carry some weight with them, there are some who maintain, that, if there were no other objection, the words of the coronation oath present an insuperable bar to the claims of the Catholics of

Ireland. Of all the arguments, my lords, which either principle or prejudice has suggested, or which imagination has started, there is not one which appears to me to rest upon so weak a foundation, as that which is built upon the words of the coronation oath.

“This oath, as your lordships well know, underwent some alteration at the period of the Revolution in 1689, at which period that great prince, William the Third, entered into the following solemn engagement when he ascended the throne of this kingdom: ‘I will maintain the laws of God, the true profession of the gospel, and the reformed Protestant Church, established by law; and I will preserve to the bishops and clergy of this realm, and to the churches committed to their charge, all such rights and privileges, as, by law, do, or shall appertain unto them, or any of them.’ If, my lords, even intelligent and honest men were not sometimes disposed to adopt any mode of reasoning, however weak, which coincides with their preconceived ideas upon a subject, it would be no easy matter to find out, upon what principle or fair construction, the words, which I have just repeated from the coronation oath, can be thought to militate against the claims of the Catholics of Ireland. It will not, I trust, be said, for I am sure it cannot be proved, that it is either repugnant to the laws of God, or the unconfined and benevolent tendency of the gospel, or to those liberal and enlightened principles upon which the Reformation was founded; to admit to situations of honour, or of profit, in the state, men of talents and of virtue to whom no objection can possibly be made, but their speculative opinions, of merely a religious nature. Nor can I conceive in what manner the rights and privileges of the bishops and clergy of this realm, or of the churches committed to their charge, can be affected, by granting civil and military appointments to men, cordially devoted to the civil constitution, and who have solemnly declared, upon oath, that it is neither their intention or their wish to injure or disturb the ecclesiastical. For my own part, my lords, as an individual clergyman of the church of England, sincerely attached to the established church, and proud of the situation which I hold in it, I should be exceedingly sorry if I could think for a moment that I pos-

nessed any rights or privileges incompatible with the just claims of so many excellent subjects and conscientious fellow-christians.

"Be it however admitted, my lords, that the words of the coronation oath will bear the construction which has been put upon them; I wish to ask where was the objection drawn from this oath, when, in 1782, so many indulgencies were wisely and justly granted to the Catholics of Ireland? indulgencies precisely of the same kind, though differing in degree from those which are now petitioned for.

"But I forbear to push this argument any further; various considerations restrain me; and, perhaps, enough has been said, to prove that the words of the coronation oath have been unadvisedly and inconclusively brought forward during the discussion of that important question, which has engaged the attention of the public for more than three years. I will now detain your lordships no longer: indeed, I should not have presumed to intrude so long upon your patience, had I not thought it incumbent upon me to assign the best reason in my power for differing so widely from those around me, whose judgment I respect, though I cannot implicitly bow to it against the clearest conviction of my understanding, and the best feelings of my heart."

The Bishop of Norwich, many years since, married Miss Grace Coote, daughter of the Reverend Charles Coote, Dean of Kilfenora, the elder brother of the celebrated Sir Eyre Coote, K.B. who distinguished himself in the East Indies, and father of Lord Castlecoote of the kingdom of Ireland. By this lady his lordship has had several children, and his eldest son James, who is now a field officer* in the 60th regiment, and has served on the Continent; another son died many years since, during his lordship's residence at Durham.

* Lieutenant-colonel.

In contemplating the character of Dr. Bathurst, we behold a prelate who does honour to the Anglican church, by his candour and liberality, and a lord of Parliament, who reflects credit on the bench of bishops, by the independence of his conduct. Instead of interfering in elections, like a late dignitary,* we find him beloved by all those who reside in his vicinity, and with an exception perhaps to Dr. Watson, his lordship is the only bishop of our day, who has been ever toasted by a whig club. But it is not by a party alone, that this dignified ecclesiastic is esteemed; for he is venerated by his whole diocese, and contemplated, even in times like the present, with all that veneration and respect which were formerly bestowed on our primitive pastors, when favour could not corrupt, ambition alienate, nor power subdue.

THE RIGHT HON.
RICHARD FITZPATRICK, D. C. L.

EX-SECRETARY AT WAR, &c. &c.

Fortis sub forte fatescet.

Motto to the Ossory Arms:

THE age of poetry, like that of chivalry, appears to be no more, and is never likely indeed to

* We allude to the circular letter signed "Samuel St. David's," dated "Aberguilly, Aug. 24, 1785," and addressed to such of his clergy as had votes for the town of Carmarthen.

return. Until the Augustan period of Queen Anne, our verses, with few exceptions, were inharmonious, our grammatical rules unsettled, and our rhymes incomplete. Sentiment, imagery, wit, and humour, indeed existed, but every thing that depended on language was in a great degree wanting. At length, however, a series of extraordinary men made their appearance in immediate succession, as if expressly designed to remedy every deficiency, and supply whatever might be required. The poems of Waller, born in 1605, were characterised by a certain degree of elegance and smoothness before unknown. He was happily devoid of the *quaintness* of his contemporary Cowley, and of the *starchness* of most of his predecessors. Milton, who saw that light three years after, which he was doomed to be deprived of before the close of his existence, united learning and science with a taste for the beauties of nature, and became among poets what Newton was soon after found to be among mathematicians.

Dryden, born in 1631, possessed a varied excellence; his verses were at once terse, original, and strong, and he possessed the rare felicity of being able to compose elegant lines without difficulty, and almost without effort.

† But something was still wanting, and it was left to Pope, whose star appeared above the poetical horizon, exactly at the epoch of the revolution, to complete the climax by the introduction of method, lucid arrangement, musical cadence, and a certain

degree of correctness, of which until then our language had never exhibited a complete specimen.

Since that period but little has been achieved, and but little remained to be effected. We have indeed beheld much elegant poetry, but it has been accompanied with little novelty; and in the department of *satire* alone has there been any thing like superior excellence.

Even under this head, we can at present recollect but three happy effusions, all of which are anonymous. The first, published under the feigned name of "Macgregor," consisted of "An Heroic Epistle to Sir William Chambers, Knight of the Polar Star, &c." the second had "Peter Pindar" affixed to the title-page; while the third, entitled the "Rolliad," is supposed to have been the production of a constellation of wits, among whom, if we are to believe the * author of the "Pursuits of

* The text is as follows:

"Or with Fitzpatrick mark the space between
A tainted strumpet and a spotless queen."

Note.—"A line taken from the poetical eclogue, entitled "The Lyars," the most finished of all the productions of the Rolliad. Public report has assigned this classical, but too keen composition, to the sarcastic pen of General Fitzpatrick."

We shall here present the reader with the whole passage alluded to above:

"Say what that mineral, brought from distant climes,
Which screens delinquents, and absolves their crimes;
Whose dazzling rays confound the space between
A tainted strumpet and a spotless queen;

Literature," the subject of this memoir had the honour to be enrolled.

General Fitzpatrick is descended, on the paternal side, from an ancient family, which has ranked for ages among the *primores*, or *grandeos* of a neighbouring kingdom, long connected with, and now happily united to our own. If we are to give credit to the Irish antiquaries, Heremon, the first monarch of the Milesian race, was the patriarch from whom they derive their origin; and it appears, that after they had assumed the surname of Patrick, they were for some centuries kings of Ossory, in the province of Leinster. Donald Mac Donald Mac Gill Patrick, who was one of the toparchs of that district about the middle of the eleventh century, was slain, like most of his predecessors, either during an insurrection, or in battle. Barnaby Mac Gill Patrick was a contemporary with Henry VII. and Henry VIII. and his son Barnaby appears to have been the first who assumed the prefix of Fitz. It was of course the policy of our kings to cultivate the friendship and assistance of chiefs of this description, half sovereigns and half subjects;

Which Asia's princes give, which Europe's take;
Tell this, dear doctor, and I yield the stake."

These verses, we believe, have only produced admiration; but there is a single line to be found in the same eclogue—

"When fiery K—y—n shall with temper speak,"

which produced some animadversions from the bench, and letters from General F.

accordingly the latter of these monarchs, towards the conclusion of his reign (June 11, 1541, 33 Henry VIII.) after having received his submission, ordered a patent of nobility to be made out, and this prince *condescended* to become Baron of Upper Ossory. Barnaby Fitzpatrick, his eldest son, appears to have evinced great loyalty towards Edward VI.* to whom he agreed "to yield both fyne, rent, and service."

But during the tumultuous struggles of a subsequent period, we find this family engaged in what was then termed "a rebellion" in Ireland. It was, however, very loyal during the reign of Charles I. and like the O'Neils, the Butlers, and other great houses, appears to have suffered severely for its attachment to that monarch. As a convincing proof of this, Cromwell excepted the chief who happened then to be at the head of the Fitzpatricks, both as to life and estate, out of the act of parliament for the settlement of Ireland,

But at length a new *founder*, or rather a *restorer*, arose in the person of Richard Fitzpatrick, a branch of this family, who perceiving that his ancestors had suffered by their attachment to an expatriated race of kings, prudently sailed along the current of the times, instead of attempting to navigate against the stream. Having addicted himself to the sea service, he exhibited great gallantry on various oc-

* He was a favourite with that prince, whose letters to him are still in existence.

casions during the reigns both of William and Anne. This officer, who was a younger son, raised a new fortune by the same means that his ancestors had been deprived of theirs, for he obtained a grant of "forfeited lands," and having married an English heiress, and by the aid of her fortune and his own savings, added to the mode already alluded to, he soon created such an estate as rendered him a man of consequence. This circumstance, in conjunction with his approved and well-tried loyalty, obtained for him a new barony,* for the ancient one had been before forfeited, during the second year of George the First. John, his son, in 1751, was advanced in the peerage to the earldom of Upper Ossory, a title doubtless chosen by him in memorial of the power once exercised, and the property once enjoyed by his ancestors in that district.

He however selected a residence in England, and having settled at Amptill Park, in Bedfordshire, preferred to be knight of the shire of that county to his hereditary seat in Ireland. The present peer has since obtained an English barony.†

The Hon. Richard Fitzpatrick, the second son of John, first Earl of Upper Ossory, by Lady Evelyn, daughter of the first Earl of Gower, was born January 24, 1748. After being initiated at home in the rudiments of scholastic learning, he was

* He was created Baron of Gowran, in the county of Kilkenny, in 1715.

† Baron of Upper Ossory, in England, Aug. 12, 1794.

sent, when almost a child, to that famous seminary founded by the "ill-fated Henry," in 1440, which has nearly given as much celebrity to the banks of the Thames as the adjacent castle; for if the one is calculated to remind us of ancient British heroism, the other has rendered all around it classic ground, dear to learning and the Muses. No one, indeed, has a better right than the subject of this memoir to exclaim:

"Salve, magna parens doctrinæ, Etonia Tellus magna virum!"

It was here indeed that Mr. Fitzpatrick became acquainted and lived in intimacy with some of the first men of the day; amongst these, we shall first name the Earl of Carlisle, then Lord Morpeth, who has since been Viceroy of Ireland, President of the Council, &c. &c. and composed several tragedies and poems, some of which possess a considerable portion of merit, and entitle him to a distinguished place in the catalogue of the "Royal and Noble Authors" of the present reign. The second in point of order is the late Mr. Hare,* fa-

* We gladly seize on this occasion to present the reader with a specimen of his performances:

VIRGA AUREA.

Apta neci, vit æque potens, somnique ministra
Dicitur aligeri virga fuisse Dei:
Nec male (majestas ne desit regia) versu
Sceptrigerum pinxit quisque poeta Jovem,

mous for the elegance and correctness of his verses, which were exhibited as models of composition. He however was not distinguished as a statesman, although a word of approbation from him is said to have proved more gratifying than all the "hear him's!" of the house, to one of the greatest orators

Terrigenas sceptrō victor fudisse gigantes
 Fertur, & in sicutis intumulasse jugis.
 E Jove nutriti gestant Jovis arma; tyrannis
 Imponunt facilem regia scepra notam.
 Ænean miræ fretum tutamine virgæ

Duxit ad Elysias casta Sibylla domos:
 Visa fronde Charon cymbam venientibus offert,
 Et fera tergemini concidit ira canis.
 Ferre pedum gestit pastor, quo claudit ovile
 Gramineoque vagas monte coercet oves.
 Fulcit utrumque latus, teritque innixa bacillo
 Invalidum firmat tarda senecta gradus
 Utilem baculum mutilatos sustinet artris,
 Ne careat facili debilis Iruis ope.
 Fida comes sacris adhibetur virga, silentes
 Versatubi magico cespite saga dolos.

Nec minor est hodie venerandæ gratia virgæ,
 Illa decet doctam, pondus & arma, manum.
 Suggestit illa rudi numeros & dulcia, vate
 Carmina, vimineâ musa juvatur ope.
 Nuda licet, foliis orbata, necardua jactet
 Brachia, nec multam dives inaret hnum;
 Sed tamen hanc Pallas, Musæque tuentur: Apollo
 Creditur huic laurors post habuisse suas.
 Bêtula, dulce decus nemoris, regina que silvæ
 Usque feras domino vimina digna tuo.

of our own times. The third was Anthony Storer,* a *Creole* of the island of Jamacia, who united a taste for chemistry to a love of literature, and by a noble bequest of books and manuscripts, became, after his demise, the benefactor of that society which he had contributed to adorn while living. The fourth was the late Duke of Leinster, proverbial for good nature and a happy equanimity of temper, and whose character, under one of his many titles (*Ophaly*) was at once finely and justly pourtrayed by a titled school-fellow.* To these we might add another star, equal indeed in point of brilliancy of genius to a whole northern constellation; we mean Sir James Macdonald, from the Western Isles, who in 1758, composed the verses beginning

“ Sæpe graves animi pressere silentia motus,” &c. And

“ Queis vafer insidiis et quantis fraudibus usus,”

in the *Musæ Etonenses*.

Lord Beauchamp too, the author of “ His saltem accumulem donis,” &c. and “ although last, not least in fame,” Charles James Fox, who commenced his career as a poet, and of whose classical productions while at Eton we shall be here doubt-

* The verses by this gentlemen, written in 1765, begin thus :

“ Vos valete & Plaudite.”

“ Sicut ubi extremo trepidans moritura calore
Incertum vibrat sicca lucerna jubar;
Emicat exultum fugitura, &c. &c. .

* The Earl of Carlisle.

less excused by every lover of departed merit, to take some notice of in this place. His "*Vocat labor ultimus*," which is without a date, begins thus :

" *Poscimur : at, nobis si rite precantibus olim
Dixeris optatum, Musa, rogata melos,
Nunc quoque et emerito præsens succurre poetæ ;
Dona ferens adeat sic tua fana cliens.
Tuque, per Aoniis loca si celebrata Camenis
Sæpe tuâ erravi Pegase vectus ope,
Decurso prope jam stadio, metamque sub ipsam,
Ne lassa infami membra pudore trahas,*" &c.

The next was composed in 1764 :

" *I fugias, celeri volitans per nubila cursu,
I, fugias, Cypriæ grata Columba Deæ !
Mollia si medius prohibet commercia portus,
Et male quæ votis, heu ! favet unda meis ;
Si neque dilectæ voces audire puellæ
Jam liceat, vultu nec proprio frui,*" &c.

The third, which is in Greek, was written in 1765 : "*Quid miri faciat Natura*," is the subject.*

* The private tutor of Mr. Fox, at Eton, was Dr. William Newcomb, who appears to have run the career of Irish bishoprics, for in 1766 he was nominated to the see of Dromore; in 1775 translated to that of Ossory; in 1779 to Waterford; and in 1795 appointed Bishop of Armagh.

We believe he was also the private tutor of Mr. Fitzpatrick, who was a year older than Mr. Fox.

Among the friends and contemporaries of General Fitzpatrick at Eton, ought not to be forgotten the name of the Right Rev. William Dickson, who in 1783, obtained the see of Downe and Connor, in Ireland. After being nineteen years a bishop, he died at the house of his old school-fellow, in Arlington-street, in 1802.

We have been at some pains to ascertain whether Mr. Fitzpatrick wrote any Latin verses while at Eton, but have not been able to discover any vestige of such, if any were ever indeed circulated. We cannot, indeed, find a single trace, although we have been informed, that

“ He lisp’d in numbers,”

and consequently, some time anterior to this period, must have composed something in the vernacular language.

At the early age of eighteen he was honoured with a degree of the university of Oxford; for we find that learned body, on the 7th of July, 1763, creating him a Doctor of Civil Law.

But the time was now approaching when the youthful poet was about to assume a profession which all poets are not calculated for, and which one of their great models confesses that he himself did not excel in.* Being a second son, it was thought proper, as usual, while the person of the heir to title and estates was to be kept safe, and even sacred, to hazard something in respect to a younger brother. Accordingly, at an early period of life, Mr. Fitzpatrick obtained a pair of colours, and bidding adieu to his school-fellows, exchanged the superintendence of Edward Barnard, M.A. the head master, for that of an adjutant of a regiment of guards.

* The “ Non bene relictæ parmula ” of Virgil has been long proverbial.

A new world now opened itself to his view. From an *oppidan* of Eton he became an *oppidan* of Westminster; the lettered severity of the upper form was exchanged for the gaudy parade at St. James's; a lesson in Homer was bartered for a march with the king's guard; and a rowing-match on the Thames to Clever or to Monkey Island, for a walk along Pall-mall—as a lounge in Bond-street was impracticable, that modern mart of ogling, flirtation, and assignation, being then unbuilt, or at least unfinished.

At length, after eating the due number of dinners at the Horse-guards, a new commission was announced in the Gazette,* and Ensign Fitzpatrick, doubtless to his no small joy, became a lieutenant, with the rank of a captain in the army.

In 1769, when barely of age, he was chosen a

* The author of this article is not certain whether it was then customary to *gazette* promotions; but recurring to his note-book, he has found a curious memorandum taken from the mouth of the late Arthur Murphy, who affirmed, that having received a blank commission for an ensigncy of foot, by way of present from Lord Holland, the grandfather of the present peer, who happened to be then secretary at war, he (Murphy) sold it to the son of a pawnbroker in the Strand. The *cockaded* youth accordingly repaired to the head-quarters of his regiment; but on being recognized by the late Duke of Richmond, who was then on bad terms with his brother-in law, that nobleman threatened to lay the whole transaction before the King. The matter however was compromised, and the names of the parties ever after appeared in the Gazette. Henry Fox, Lord Holland, was secretary at war from 1746 to 1755, when he was succeeded by Lord Barrington.

member of the English House of Commons, having been returned for Oakhampton, a borough memorable in many respects, and which within our own time, and within almost our own knowledge has been sold (we mean of course the houses, &c.) by a noble duke, of high honour and integrity, to his architect, to pay some of the expences incurred by building a dog-kennel and stables ! On this occasion, Mr. Brand, father of the present knight of the shire for the county of Hertford, was his colleague, and on his death, we believe, Mr. Vernon, a gentleman connected with his own family by marriage.

We do not find him taking any part in the debate during that tranquil period, and in the ensuing ones, which was convoked in 1774, he was elected for Tavistock, as well as in the subsequent ones of 1780, 1784, 1790, 1796, 1801, 1803, and 1806, a series of nine successive parliaments, if to which be added the present, it will be found, that although not one of the oldest men, he is at least one of the oldest members in the House of Commons, Mr. Isaac Hawkins Browne, M. P. for Bridgenorth, and Mr. Clive M. P. for Bishop's Castle, having only sat in nine; Lord George Augustus Henry Cavendish, brother to the Duke of Devonshire, M. P. for Derbyshire, and Mr. D. P. Coke, M. P. for Nottingham, but in eight; while the subject of this article, has served in no less than ten following Houses of Commons.

As Mr. Fitzpatrick may be said to have started

a whig, *ab ovo*, it is almost unnecessary to observe, that the American war could be no favourite with him, and we apprehend, that he was reduced, like many other gallant officers, to the melancholy condition of voting against it as a senator, and fighting in opposition to that vote, as a soldier ; for the charge of cowardice was at that time basely affixed to the character of every one, who hesitated to serve ; and it is not a little remarkable, that Mr. Bosville, who had been induced solely by this charge to accompany his regiment, was actually disinherited by his uncle, a rich patriotic baronet (the late Sir Matthew Blackett), for drawing his sword against the cause of freedom.

In 1779, he was engaged in the cause of friendship for Mr. Fox, who was his junior by a year, and with whom he was connected alike by family and attachment. Having been called into the field in consequence of a dispute with Mr. William Adam, now Chancellor to his Royal Highness the Prince of Wales, Mr. Fitzpatrick was selected as his second ; Major Humberston acted in the same capacity for the other gentleman, and both parties having met on the 29th of November, Mr. Fox was wounded slightly by the first shot, and, we believe, without the knowledge of any one but himself. Notwithstanding this, he stood a second pistol with an unexampled degree of coolness, and fired his own remaining one in the air. After mutual compliments, the two combatants parted good friends, and some time after, in consequence of a

coalition which has been considered of a very equivocal and suspicious nature with Lord North, to whom Mr. A. was attached, they lived and acted together ever after, with mutual cordiality and good will.

Soon after the memorable riots in 1780, Mr. Sheridan proposed certain motions in the House of Commons, which were founded on the circumstances that had occurred during that disastrous and disgraceful period. The interference of a military force appears to have been absolutely necessary for the purpose of quelling the unprecedented sedition that then took place in the metropolis ; but the application of this force, entirely at the disposal and under the sole influence of the crown, without the intervention of a civil magistrate, was considered by many as a precedent dangerous in the extreme.

Mr. Sheridan was seconded and supported upon this occasion by Mr. Fitzpatrick, who observed,

“ That himself, as well as the military profession in general, to which he had the honour to belong, would thank the mover of these propositions for bringing on the business, and clearing up a doctrine which gave them much pain and uneasiness. They were anxious to have the question brought to a decision, that it might remain no longer in doubt and perplexity. As for his own part, if the military were to be employed against their fellow-citizens, without waiting for the orders of the civil power, he should no longer wish to belong to a profession so dangerous and fatal to the liberties of this country.

“ At the same time,” he added, “ the justices of Middlesex were too eager to call in the aid of soldiers. On every little occasion they resorted to this desperate remedy, and found in their assistance a ready excuse for the want of their own exertion and activity.

“ He then expressed his indignation at the expressions which had been made use of in the other House, ‘ in which the Sovereign was applauded for his moderation in not having employed the army to enslave the nation.’ To suppose that the military would assist in overturning the constitution, if the Monarch required it, was a libel on the profession. Could he believe such an opinion well-founded, he would think his character as an officer disgraceful, and would hold such a situation no longer.

“ He concluded his speech, by earnestly recommending to the House the consideration of the business, and trusted that some mode would be established to put the police of Westminster on so respectable a footing, as to render the interference of the troops in cases of riot, unnecessary.”

When Lord Shelburne and Mr. Pitt were obliged to withdraw from power, in consequence of a vote of the House of Commons relative to the peace with America, Mr. Fitzpatrick, who had by this time attained the rank of colonel in the army, was nominated to the important office of Secretary* at War; and we accordingly find him, in that capacity, moving the army estimates of 1783, by which sixty-six regiments were only to be kept up. The cavalry was also greatly reduced, and a new system of thin battalions strongly officered, brought into action, in conformity to the principle “ that a private soldier was very soon formed when placed among veterans, but that it was a difficult matter to form an officer.”

If it should be here observed, “ that now was the

* This was not the first official promotion of the subject of this memoir in his civil capacity, for a year before (in 1782) he had accompanied the Duke of Portland into Ireland as secretary, and obtained the rank of a privy counsellor in that kingdom.

time to regulate the King's prerogative, and meliorate the police of Westminster," we do not find ourselves disposed to controvert this position. But the truth is, that the coalition administration soon began to totter, and instead of realising any of its theories, found itself on the eve of dissolution. A youthful statesman, succeeding to that popularity which his opponents had justly forfeited, and promising reforms which he himself never carried into execution, had, by a rare union of events, gained the confidence of both the King and the public. Mr. Pitt accordingly triumphed, and the ministers retired, without the consolatory plaudits of the multitude. Many of their friends and adherents lost their election, but Tavistock held out her arms in the days of distress as in the days of prosperity, and the star of the house of Bedford, being then as now in the ascendant there, received the Ex-secretary at War with unbought smiles.

Excluded from the sunshine of the treasury bench, and consigned to their old and uncomfortable seats on the opposition side of the House, the Foxites retrod their former steps, and once more began to earn and to deserve the well-merited applause of the people. The commutation act at one period, and the Russian armament at another, afforded them fertile subjects for declamation; while seizing the arms which the foe had dropped during the political scuffle in which the vizor had fallen off, they also in their turn became reformers, and bawled aloud for cleansing the Augean stable.

1809-1810.

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Not stopping here, they made a grand effort in behalf of national justice, and in the name of outraged humanity, invoked the interposition of the Commons of England in behalf of thirty millions of suffering subjects in Asia. The charges, sixteen in number, adduced against Mr. Hastings, respected presents and bribes, extravagance and corruption, cruelty, injustice, and oppression, varied in all the hues of eastern malversation. To substantiate these accusations, it became necessary to appoint a committee of managers, and accordingly, on the 5th of December, 1787, we find the name of Colonel Fitzpatrick enrolled with those of some of the most celebrated men of that day: with a Burke, a Fox, and a Burgoyne, now no more; with a Windham, and a Sheridan, still alive; with Sir Gilbert Elliot, become Lord Minto, and at this moment the Governor-general of those very provinces which he then deemed so badly managed and so cruelly oppressed; with Viscount Maitland and the Right Hon. T. Pelham, the Hon. Andrew St. John, who have since become peers of parliament with Mr. Courtenay, whose flashes of wit and merriment, which derived additional point from a vernacular idiom, are no longer heard in the senate, and with Sir John Anstruther, who, after residing in a high legal capacity in India, has become the defender and the panegyrist of the Marquis of Wellesley!

The nation gladly assented to the impeachment of their delegates, and it was not until wearied out with a most injudicious trial of upwards of nine

years* continuance, that doubting of the temper and propriety rather than the justice of a suit, protracted long beyond the ordinary period of human endurance, they repined not at the verdict of "not guilty."

Sometime after the commencement of that prosecution, the nation was alarmed at the occurrence of a dreadful malady with which the King had been attacked. Mr. Pitt, on this occasion, once more fought on popular ground; and finding that his interest was intimately connected with the maintenance of certain doctrines, which breathed his ancient spirit of patriotism, he somewhat too broadly laid down the position, "that the Prince of Wales had no more right to exercise the sovereign authority during his Majesty's incapacity, than any other individual subject." On this occasion, Colonel, now become General Fitzpatrick, and all his friends, divided against the minister, who not only triumphed, but seemed for a while to burn with the "*veteris vestigia flammæ*."

Meanwhile, France became agitated with the throes of a mother, but instead of producing a fair and legitimate offspring, engendered and brought to light a monster, which threatened to devour its own parent. At first, however, it evinced all the beauty, loveliness, and innocence usually attendant upon youth, but being at length goaded by the

* It commenced Feb. 17, 1786, and was concluded April 23, 1795.

surrounding spectators into action, it inflicted deadly wounds with its merciless fangs, and involved both friends and enemies in one common ruin.

The party then in opposition wished to avert all the calamities of war, but they were overborne by numbers, rather than by argument, and at length forced reluctantly to acquiesce in measures, which at best have proved but equivocal. General Fitzpatrick was one of the most eager to deprecate such an impolitic conflict, and soon after it commenced, endeavoured, in a speech which had a great effect at the time, to soften the impolitic asperity of our allies, to shield a family equally celebrated and unfortunate from unrelenting cruelty, and vindicate the rights and the honours of British humanity in the face of mankind.

We shall here present the reader with a copy of this very celebrated oration, as it was pronounced, December 16, 1796.

“The French Revolution is an event of such prodigious magnitude, that there is no circumstance, either immediately or remotely connected with it, which does not, in some degree, affect the interests and policy of all other nations, more especially of such as have, in consequence of it, found themselves engaged in war. According to my conceptions, therefore, the subject which it is my present purpose to bring under the deliberation of the House, cannot be considered as foreign to the jurisdiction or cognizance of the British Parliament.

“It is now near three years since, in the last House of Commons, I moved to address his Majesty to beseech his gracious interposition with a power, then an ally of this country, to obtain some mitigation of the unjust and cruel treatment of certain distinguished members of the French Constituent Assembly, whom,

not the chance of war, but the eventful circumstances of the times had thrown into the hands of the powers then leagued in a contest against their country—I mean General La Fayette, together with two other respectable persons,* at that time languishing in the prisons of our ally, the King of Prussia, and now, as I am well-informed, experiencing a fate still more rigorous, in the dungeons of another of our allies, the Emperor of Germany. Having upon that occasion thought it necessary to enter, at some length, into a detail of the conduct of the unfortunate persons concerned, I shall spare the House the trouble of hearing any repetition of those particulars; contenting myself with remarking, that among such as have been able to preserve their minds free from the contagion of violence and prejudice, which has too generally prevailed, and have looked at the Revolution in its commencement or its progress, with any thing of a dispassionate view, there have not been found any reasons for withholding from these persons the full credit of purity and rectitude of intention. I urged the House to the adoption of that motion upon the joint ground of policy and humanity.

“The circumstance of our having now relinquished all hopes of conciliating a party in France, by some may possibly be thought to have weakened the first of these pleas. Were this so, which I am by no means inclined to admit, the time which has elapsed, and the aggravated hardships of the unhappy sufferers, must be allowed proportionably to have added strength to the latter. But I have said, that I by no means admit the first of these pleas to be weakened, because in a moment when questions of the highest political nature are, from the circumstances of the times, occupying the public mind of every civilized nation, I consider it to be a most injudicious and fatal policy for themselves, for those who are desirous of creating a preponderance of opinion in favour of monarchical forms, to exhibit to the world a flagrant instance of barbarity and oppression, which cannot fail to excite in the minds of all men an indisposition towards those governments under whose authority it is exercised.

* M. Latour Mabourg, and M. Bureau de Pusy.

"I recollect, that an ingenious and honourable friend of mine (Mr. Sheridan) in the last Parliament, when he was drawing a striking and melancholy picture of the supposed declining state of this country, observed, that one remarkable circumstance seemed to distinguish it from all examples afforded by history of countries in a similar situation: this circumstance he stated to be, that although there appeared a total deficiency and decay of all public virtue, the private virtue of the nation had been at no period more conspicuous. I must acknowledge, that the grounds upon which my honourable friend founded this latter part of his opinion did not immediately suggest themselves to my mind; but, without coinciding altogether with the opinion, I could not but observe, that the fate of the motion I am this day renewing, afforded a striking illustration of the justice of it. When the subject I am now speaking of was first mentioned within these walls, the humane feelings of every individual seemed to sympathise in an universal abhorrence of such detestable tyranny. But when, encouraged by these promising appearances, I brought forward a proposition with a view of giving effect to these benevolent sensations, no sooner did the minister* step forward in opposition to it, than the voice of private virtue, but a few days before so audible, was hushed into a total silence, and the motion was negatived by a considerable majority; among whom must have been many, who, in their individual capacities, had expressed their disapprobation of that oppression which, in their public character, they did not hesitate to countenance by their votes.

"In the grounds of his opposition to that motion, the minister did not attempt to defend, or even palliate the enormity which he was sensible so many of his supporters shrunk back from the contemplation of with horror. There was but one member (Mr. Burke) in the House, who ventured to go that length; and the splendid abilities of that member were, at that time, exerted in support of so many wild and eccentric doctrines, doctrines at this day abandoned, and which ought to be looked back to with regret and contrition by those who encouraged them, that one may not

* Mr. Pitt.

unreasonably indulge a hope that this may prove one of those excesses where his eloquence seduced our predecessors into a conduct we shall not be disposed to imitate. The minister, however, as I before observed, was too judicious to adopt such a line of opposition. He entered into a defence of the original grounds of the detention of La Fayette, and expatiated upon the impropriety of our interference in what he treated as the concerns of a foreign independent sovereign. I do not feel it necessary to revive at present the discussion of those points which have been so long before the public; I retain the opinion I then held and supported, that supposing the original arrest, or temporary detention of La Fayette to be justifiable, when once the true condition of himself and his companions had been ascertained, when it appeared that they had not been taken bearing arms against any of the powers of at war, or employed in any function whatsoever by the enemy, that, being neither capable of being considered as prisoners of war, nor prisoners of state, their imprisonment became an unwarrantable act of injustice and oppression. With respect to the impropriety of our interference with a foreign power, I trust we shall not hear that argument insisted upon this day. The King of Prussia, previous to his withdrawing from our alliance, determined no longer to continue in the odious character of the common gaoler of the confederacy; he transferred the prisoners to the Emperor of Germany, it is said, with an observation which has been, indeed, but too cruelly verified, that he believed they would not find their condition much benefited by the exchange. Thus do absolute princes sport with the liberties and sufferings of mankind. Should it be this day urged, that these unhappy men being still the prisoners of a foreign independent sovereign, our interference upon the subject would be still liable to the same objection; I am prepared to meet such an argument by a direct contradiction of the fact upon which it is founded.

“I assert, that General La Fayette and his fellow-sufferers are not the prisoners of the Emperor of Germany; and upon what authority do I make this assertion? Upon the most indisputable case will admit of, upon the authority of the Emperor of Germany himself.

- " I should here feel myself called upon to request the particular attention of the House, were I not persuaded that the subject is in itself so interesting to every feeling of humanity as to need no effort of mine to impress it more forcibly on the minds of those who hear me. If I am speaking in an assembly of Englishmen, I have no fear that what I am proceeding to state will not sufficiently engage their attention. The unfortunate person of whom I have been speaking, to compensate, perhaps to enable him to bear the severe lot he has been doomed to suffer, is the husband of a woman whose name will be revered as long as exalted virtue shall command respect, or unmerited affliction shall inspire compassion in the breasts of men—a woman, exhibiting in these days the example of another Arria, devoting herself to a voluntary participation of all the rigors, barbarities, and oppressions, a Claudius or a Nero can inflict upon her persecuted husband. It has been said, that the age of chivalry is gone, that all respect and loyalty to sex have been obliterated in these times. Never will I suffer to escape my lips a word which may be construed into a reflection upon the memory of the unfortunate princess, whose persecutions gave occasion to the observation; but surely his mind must be singularly framed, his eyes must be strangely dazzled by the splendor of superior rank and elevated station, who can so feelingly deplore the undeserved sufferings of the ill-fated Queen of France, yet contemplate without pity the afflictions, surely no less undeserved, of the unhappy wife of La Fayette.

• This admirable pattern of female heroism and virtue, providentially escaped from the fangs of the relentless Robespierre, (for it is the glory of her husband to have been equally an object of hatred to tyrants of all descriptions) had seen her mother, her sister, together with all her nearest and dearest relations, dragged to a miserable death upon a scaffold, on which, during a whole year, she had been in the daily expectation of ending her own melancholy existence. She availed herself of the liberty the fall of her persecutor restored to her, to fly from the prisons of anarchical tyranny to the succour of her husband languishing in the dungeons of what is called a regular and legitimate government. She had the good fortune (for without some dexterity and con-

trivance it could not have happened) to obtain an audience of the Emperor at Vienna, together with her two daughters, the eldest not yet seventeen years of age—she threw herself at his feet, imploring his clemency for her unfortunate husband: but if his liberty was too great a favour to be hoped for, soliciting, at least, that his family might, by partaking, be permitted to alleviate the misery of his imprisonment, and suffered in the melancholy gloom of his dungeon to administer those endearing consolations of conjugal affection and filial duty, which, under the most bitter afflictions, might sustain the fortitude of a husband and a father. The House will readily believe, that the person to whom these supplications were addressed could not listen to them without emotion. The present Emperor has not reached a time of life, he has not been long enough either in the world, or upon a throne, to have acquired that callous insensibility which too frequently is found to harden the hearts of those by whom the councils of sovereigns are directed. He received her solicitations with kindness and indulgence; he applauded and expressed his admiration of the generosity of her conduct. To the request of joining her husband in his prison, he immediately acceded; but with respect to the more material subject of her intreaties, he used these remarkable expressions: ‘With respect to his liberty, it is a complicated affair upon which my hands are bound.’

“Of the truth of this declaration of the Emperor having been conveyed in these words, I hold in my hand, and am ready to produce, the incontrovertible testimony of the interesting person to whom they were spoken. This fact, thus authenticated, I defy his Majesty’s ministers to contradict; and upon this fact I appeal to the House, whether I am not warranted in the assertion I have made, that La Fayette is not the prisoner of the Emperor of Germany. Before I state what strikes me as the irresistible inference from this fact, perhaps the House may be desirous of learning the sequel of the melancholy tale I have been relating. This incomparable woman, having thus obtained the Emperor’s consent to be admitted into the prison of her husband, hastened to Olmutz, the place of his confinement. It should seem that the favour she had obtained was, by some persons of autho-

rity in the Imperial Court, considered as too great an indulgence to have been granted : for, upon her arrival, no means were left unattempted to dissuade her from the execution of her virtuous purpose.

“ An officer employed in the immediate guard of the dungeons, acquainted her that her husband, having attempted his escape, was subjected to the utmost rigor which the severe regulations of these prisons prescribed ; that before she took the final resolution of immuring herself with him, it was just to apprise her that she could not be exempted from them. These menaces were not capable of shaking the firmness of a mind like hers ; but it is truly painful to relate, that these menaces have been carried into the strictest execution. What a scene must the re-union of this unhappy family have presented in the circumstances under which they met ! In her interview with the Emperor he had assured her, that she would find her husband treated with lenity and indulgence. It is melancholy to reflect, that monarchs, in absolute governments, should so often be made the instruments of oppressions of which they are themselves unconscious !

“ Having received these assurances, what must have been her feelings when she found her husband sinking under the aggravated severities of his imprisonment ! Emaciated, debarred the sight of every human being, except his merciless gaolers, deprived of the benefit of fresh air, though labouring under a pulmonary complaint, which made it peculiarly necessary for him ! When she learned, that the first change of raiment he had been allowed, was in consequence of her arrival, when the tattered rags which scarcely covered his body had been exchanged for a garb of the coarsest materials : an indulgence, however, not given without the insult of informing him, that the coarsest materials had been purposely sought, as such alone he was worthy to be clothed with. For the treatment she herself was to expect, what must have been her sensations, when her request, that herself and her daughters might be allowed the services of an attendant of their own sex, was peremptorily refused ! By the rigid laws of the prison, strictly enforced, it is only during day-light that any prisoners are permitted to be absent from their respective cells ; con-

sequently, during these dreary winter months, their innocent and unoffending daughters, by a solitary confinement of sixteen hours, in their own dungeon, purchase the permission of devoting the remaining eight to the duty of consoling their unhappy parents.

“It may, perhaps, be thought, I know indeed it has been said, that these are exaggerations unworthy of credit: that such enormities should appear incredible, I am not surprised; but that they are literally true, I have, from evidence incontrovertible, the fullest conviction. But why should we disbelieve these instances of barbarity, when they are equalled, if not surpassed, by others, of which the public is in possession of authentic proof? Whatever trials the fortitude of a female mind may resist, the delicacy of a female frame is not formed to encounter so rude a treatment; accordingly we find, that the health of this unfortunate lady has suffered under it severely. For the benefit of medical advice and assistance, she petitioned to be allowed, for a short time, to repair to Vienna. What a refinement of cruelty, what a savage delight in accumulating afflictions upon an afflicted mind, does the answer to her request exhibit! After a solicitation of three months, this answer was procured, and delivered to her by the governor of the fortress: ‘That his Imperial Majesty had been pleased to determine, that, on no consideration whatever, she should be permitted to go to Vienna; but that she might quit the prison, on condition of never returning to it.’ The permission to go to Vienna, where possibly another interview with the Emperor might have opened the eyes of this unfortunate prince to the enormities of which his ministers made him the instrument, was, at any rate, to be guarded against; but the request to quit the prison for medical assistance was acquiesced in. Observe, however, the inhuman, the diabolical condition annexed to it: ‘Yes: you may quit the prison of your husband to seek medical advice; but mark, it is to return no more: you have sacrificed your health to obtain the society of your husband; you shall now sacrifice the society of your husband to obtain the recovery of your health.’ There is really an ingenuity of conception in this refinement of barbarity which seems to disgrace the genius of the dramatic poets of all

ages, who have endeavoured to paint tyranny in its most odious and detestable colours.

“ I will now read to the House the patient, calm, and affecting reply of the unhappy sufferer to this savage insult, upon the best and tenderest feelings of which the human heart is capable :

Letter of Madame de la Fayette.

“ The Commandant of Olmutz informed me yesterday, that, in answer to my request of being allowed to go for eight days to Vienna for the purpose of consulting the faculty, his Imperial Majesty signified, that on no consideration whatever I am to be permitted to visit that capital ; and that he will consent to my quitting this prison only on condition of never entering it more. I have the honour to reiterate the answer which I made to the Commandant. To solicit the assistance which the state of my health requires, is a duty which I owed my family and my friends ; but they are sensible that it is not possible for me to purchase it at the price at which it is offered. I cannot forget, that while we were both on the point of perishing—myself, by the tyranny of Robespierre ; M. de la Fayette, by the moral and physical sufferings of his captivity—that I was not allowed to obtain any account of him, or to inform him that his children and myself were yet in existence ; and nothing shall tempt me to expose myself a second time to the horrors of such a separation. Whatever, then, may be the state of my health, or the inconveniences which may result to myself and my daughters from this habitation, we will all three avail ourselves with gratitude of the goodness of his Imperial Majesty, who permits us to share his captivity in all its details.”

“ This letter, the authenticity of which cannot be questioned, reveals to us another instance of atrocious cruelty to which she had been exposed. She cannot forget, that while they were on the point of perishing in their respective dungeons, she had not been allowed to obtain any account of him, or to inform him that his children or herself were yet in existence. Why, let me ask, are the circumstances I have related to be supposed exaggerated statements of barbarity, when such barbarities as these are in proof before us ?

With a sorrow, which I am certain all who hear me will partake, I have to inform the House, that in this alarming state of health she has been to this hour suffered to languish in a prison, which, there is too much reason to apprehend, will shortly become the tomb of so much virtue.

“ Among all the horrible crimes to which the French Revolution has, in its progress, given birth, those who love to contemplate human nature in its more favourable points of view, will derive some consolation to their wounded feelings from its having given occasion to the display of such exemplary virtue. Those who consider religion as the best and surest foundation of all virtue, will learn with satisfaction, that, until her misfortunes gave scope to the exertion of the great qualities of her mind, the eminent piety of this lady had been the most distinguishing feature of her character. But what will those friends of religion think, when they are told that, by those governments who have hypocritically affected to be waging war in the cause of religion itself, that piety by which she was distinguished has been converted into an additional instrument of torture ! By the tenets of the Roman Catholic persuasion, we know how very strictly the duties of confession and of hearing mass are enjoined. If, in the poignancy of her afflictions, the accumulated injuries of her oppressors could be supposed, in a mind of such angelic purity, to have excited a momentary emotion of resentment, and have disturbed the meek tranquillity of Christian resignation, it is a torment to her conscience not to be suffered, in the acknowledgment of it, to fulfil that duty which her religion has prescribed. The opportunity of fulfilling these duties, by sincere and devout Roman Catholics, considered as sacred and indispensable, have, by a Government pretending to be fighting the cause of that very religion, been absolutely refused to her repeated and pressing solicitations.

“ The House is probably impatient to be relieved from the detail of such distressing circumstances. Many more have come to my knowledge, which the delicacy of disclosing the means by which they have transpired prevent my touching upon. I am aware, that by some the agitation of this subject is considered as more injurious than beneficial to the unfortunate persons it relates to. Any

anonymous observations of that nature, I should think unworthy of notice. But since I gave notice of this motion, a paper has been put into my hands, where, I confess, it was with concern I found a writer of eminence and ability adopting this language.

“Whoever has read much of what has been written during the course of the Revolution, must be acquainted with the various publications of M. Mallet du Pan. In a letter addressed to the editor of a Paris Journal, I find him positively contradicting a statement which that editor had made of the ill treatment of the prisoners of Olmutz, telling him, that by the representation he has given of it he has made himself *the Echo of Imposture*. From what sources M. Mallet du Pan has drawn his information, I do not know: in his contradiction of the rigorous treatment of the prisoners of Olmutz, from the respectable character he bears, I hope, and am willing to believe, that he is himself *only the Echo of Imposture*. Those, however, who have been conversant with his former writings, will certainly observe that he has, in this instance, adopted somewhat of a more courtly strain than is perfectly consistent with the liberal principles of rational liberty, of which he has usually professed himself the advocate. He declares, that, in common with the rest of the world, he laments the fate of these unhappy prisoners: he declares himself likewise perfectly ignorant with respect to the causes of their confinement. This ignorance he considers as imposing a duty upon all prudent men of an entire silence upon the subject, and recommends it to their friends to endeavour, by all the means in their power, that these unhappy persons should be wholly forgotten till history shall have removed the veil which at present covers this mysterious business.

“His indignation is without bounds, when he finds this journalist holding forth to Europe, under the colours of a Caligula, a Monarch, of all others the most distinguished for clemency; yet he tells us, that this Monarch holds in his prisons, neither he nor any one else can conjecture wherefore, a person to whose character he himself affixes the epithets *estimable* and *irreproachable*. M. Mallet du Pan must produce other instances of clemency, I believe, before he persuades Europe to substitute the name of Titus to that of Caligula in behalf of the object of his panegyric.

This writer certainly does little honour to the government he undertakes to defend, when he adds, that the friends of La Fayette will produce no other effects, by their complaints, than exciting the powers upon whom his liberation depends, to lengthen his captivity. I will not suppose that, with the rulers of a free country, a remonstrance against oppression will be supposed capable of producing an aggravation of it. So far from entertaining such an opinion, I do not apprehend that I am doing any injury to the cause of La Fayette in this country, when I say that, whatever sentiments may be here entertained of the principles he has maintained and acted upon, I know that he would not to-morrow purchase his liberty by the retraction of any one of them. I will not believe that in this country it will be imputed to him as a crime that he refused the liberty which was offered to him, upon his first arrest at Namur, upon the condition of betraying the army, of which he had relinquished the command, to the enemy. I will not believe that this country harbours any ill will against a native of France, because he was the original institutor of those national guards which have enabled France to establish her republic against the united efforts of all Europe; still less will I believe that there can, in any quarter of this country, lurk against him a narrow and vindictive spirit which can be gratified in beholding the friend and pupil of the illustrious Washington perishing in a dungeon upon account of his political principles, even though such principles may have been originally imbibed in supporting the cause of America against Great Britain. If such considerations can stimulate the malignity of vengeance in arbitrary and despotic governments, it becomes us to shew, that, under a free constitution, sentiments more liberal and magnanimous are generated in the human mind."

"I owe many apologies to the House for having consumed so much of their time upon a subject, the argument upon which is comprized within so narrow a compass. I revert, therefore, to the declaration of the Emperor, the ground upon which I rest the absolute necessity of taking some step to vindicate the national honour from the obloquy which that declaration has thrown upon it. We are in as full possession of the authenticity of that declaration as

the nature of the case can possibly admit. Let any one who opposes this motion undertake to explain by whom, unless by his allies, *the hands of the Emperor are bound*, upon this subject; and let me ask, if, after this declaration, known and circulated as it is through Europe, these prisoners are suffered still to languish in their present miserable condition, to what member of the alliance will the common voice of all mankind impute the fact? If, as we were eloquently and triumphantly told by Mr. Pitt, every Englishman, from the highest to the lowest, is entitled to his share of the glory of the Archduke Charles's victories, where shall that Englishman shelter himself from an equal share of that disgrace and ignominy, that which an Englishman should feel as the worst of ignominies, which belong to the perpetrators of cruelty, injustice, and oppression? To free the country from the obloquy of lying under such an imputation, is the object of the motion I shall submit to the House. The moment in which I am speaking is, perhaps, of all others, the most seasonable for a measure of the nature of that which I propose. We have set on foot a negociation for peace, on the successful issue of which the wishes of suffering humanity are fixed with anxious expectation. In such a moment, is it not to be hoped that the sensations of rancour and animosity, which have but too long filled our bosoms, are at length subsiding into milder and more charitable feelings? Sure I am, that the parties who will be best entitled to credit for their sincerity in wishing a fortunate conclusion to this negociation, are those who, upon entering into it, give a pledge of their conciliating and pacific disposition, by divesting their minds of those habits of virulence and acrimony which the nature of such a contest has but too fatally given birth to, and fomented among all the parties engaged in it. May I be allowed to suggest, that the act of mercy, humanity, and justice I am now recommending, would, on the part of the allies, be no slight indication of that temper pervading their councils, which is best calculated to promote the attainment of the great object to which the hopes and wishes of all the nations of Europe are, at this moment, so anxiously directed?

“Indulging a hope that the House may concur with me in viewing the subject in this light, I move,

“That an humble address be presented to his Majesty, to represent to his Majesty, that it appears to this House that the detention of General La Fayette, Bureau de Pusy, and Latour Mabourg, in the prison of his Majesty's ally, the Emperor of Germany, is highly injurious to his Imperial Majesty, and to the common cause of the allies; and humbly to implore his Majesty to intercede in such manner as to his wisdom shall seem most proper for the deliverance of these unfortunate persons.”

Mr. Sheridan seconded the motion, and Mr. Chancellor Pitt “admitted that a more striking and pathetic appeal, was never made to the feelings of that House, than in the eloquent speech he had just heard;” yet notwithstanding this, the ministers, by means of a decided majority, put an end to every hope of intervention on the part of his Britannic Majesty, and it was reserved for Bonaparte, while first Consul, to effect that by threats, which might have been achieved simply by entreaty!

General Fitzpatrick, and the party with which he acted, remained in opposition during the whole of Mr. Pitt's first administration; but no sooner had Mr. Addington become Chancellor of the Exchequer, and negotiated the treaty of Amiens, than, whatever they might be disposed to think of some of the conditions, they most cordially united in approbation of the peace.

On the explosion of a new war, some of these gentlemen hesitated as to the justice, while others protested against its policy: most, if not all, in short, at first joined in the condemnation of such a measure. The return of Mr. Pitt to power, seemed to be a signal for a general attack, and by an union
1809-1810.

of parties, as monstrous according to some in its nature, as it was singular in its combination, the robe of the Chancellor of the Exchequer, seemed to feel less easy to its owner than before. This was a prelude to his sudden death, on one hand, and a long-projected coalition between the Foxites, pledged to reform, with the Grenvillites, who had constantly opposed all change, on the other.

Sometime anterior to this, the subject of the present memoir, while still in the ranks of opposition, introduced a very excellent clause into the mutiny act, by which all the members of a court martial, are sworn to try and determine, according to evidence.*

* Copy of an amendment introduced into the Mutiny Act, passed in the 45th of George III, consisting of a new regulation inserted between clauses 18 and 19.

"Provided also, and be it further enacted, that in all trials by any courts martial, (other than general courts martial) which shall be held by virtue of this act, or of any articles of war, established by his Majesty in pursuance thereof, every member assisting at such trial, before any proceedings be had thereupon, shall take the following oaths upon the Holy Evangelists (which oaths shall and may be administered by the President of the court to the members thereof, and to the President by any member having first taken the said oaths, that is to say ;"

"You shall well and truly try and determine, according to the evidence in the matter now before you. So HELP YOU GOD.

I A. B. do swear, that I will duly administer justice according to the rules and articles for the better government of his Majesty's forces, and according to an act of parliament now in force, for the punishment of mutiny and desertion, and other crimes therein mentioned, without partiality, favour, or affection; and if any doubt shall arise which is unexplained by the said articles, or act of par-

In 1806, when again Secretary at War, he introduced and carried two bills, the one for the more convenient liquidation of the half pay of officers, in Great-Britain and Ireland; the other for regulating the allowances, granted out of the compassionate list. As the Finance Committee was then sitting, he had also fortitude enough to refuse all the *sinecures* in his gift, leaving the useless places open, for the inspection and decision of that body. As for himself, he derived no benefit from the new order of things, except 3000*l.* at which sum the salary is usually estimated. He was fortunate, however, in one respect, for he obtained a regiment of foot, on the demise of the late General Hotham, and he is now pretty high up in the list of Generals, as he ranks next to the Earl of Harrington.

Nor ought his good fortune, in another point of view, to be overlooked, for instead of losing his seat on the late catastrophe, he exchanged a borough for a county, which had been represented both by his father and his elder brother, and at the same time supplanted a *political* enemy, to whose private character he pays a high eulogium, in the

liament, according to my conscience, the best of my understanding, and the custom of war in the like cases. SO HELP ME GOD.

“ And the President of every such court martial (not being under the rank of a captain) shall be appointed by the commanding officer of the regiment, detachments or brigade, or the governor or commander of the garrison, fort, castle or barrack, directing such court martial.”

address to his new constituents, as knight of the shire for the county of Bedford.

We have hitherto treated of Mr. Fitzpatrick, as a man, a member, and a senator; we are now to consider him as a poet. We shall in this place say nothing of the "Probationary Odes," as they were never avowed, but confine ourselves, to such productions as have been generally recognized. The early connection of the subject of this memoir with Mr. Fox, is well known, and the latter having consecrated a building in his grounds at St. Ann's Hill, to whatever was dearest to his heart, we find the following verses inscribed by the former, in the "Temple of Friendship."

"THE STAR, whose radiant beams adorn

With vivid light the rising morn,

The season chang'd, with milder ray

Cheers the calm hour of parting day:

So Friendship of the gen'rous breast

The earliest, and the latest guest;

In youthful prime with ardour glows,

And sweetens life's serener close.

Benignant pow'r! in this retreat

O deign to fix thy tranquil seat!

Where, rais'd above the dusky vale,

Thy fav'rites brighter suns shall hail;

And, from life's busy scenes remote,

To thee their cheerful hours devote;

Nor waste a transient thought to know

What cares disturb the crowd below."

General Fitzpatrick is also the author of "Dorinda, a town eclogue," of which we shall here give a few lines by way of specimen.

" In that sad season when the hapless belle,
 With steps reluctant bids the town farewell,
 When surly husbands doom th' unwilling fair
 To quit St. James's for a purer air,
 And deaf to pity, from their much lov'd town,
 Relentless bear the beauteous exiles down
 To dismal shades, through lonely groves to stray,
 And sigh the summer live-long-months away.
 With all the bloom of youth and beauty grac'd,
 One morn Dorinda, at her toilet plac'd,
 With looks intent, and pensive air survey'd
 The various charms her faithful glass display'd ;
 Eyes that might warm the frozen breast of age,
 Or melt to tenderness the tyrant's rage ;
 Smiles that, enchanting with resistless art,
 Stole unperceived the heedless gazer's heart, &c."

When General Burgoyne produced the Heiress,
 Mr. Fitzpatrick wrote the following Prologue :

" As sprightly sun-beams gild the face of day,
 When low'ring tempests calmly glide away,
 So when the poet's dark horizon clears,
 Arrayed in smiles, the Epilogue appears.
 " She of that house the lively emblem still,
 Whose brilliant speakers start what themes they will ;
 Still varying topics for her sportive rhymes,
 From all the follies of these *fruitful* times ;
 Uncheck'd by forms, with flippant hands may cull,
 Prologues, like *Peers*, by privilege are dull ;
 In solemn strain address th' assembled pit,
 The legal judges of dramatic wit,
 Confining still, with dignify'd decorum,
 Their observations to the play before 'em.
 " Now when each bachelor a helpmate lacks,
 (That sweet exemption from a *double tax*),
 When laws are fram'd with a benignant plan
 Of light'ning *burdens* on the married man,

And Hymen adds one solid comfort more,
To all those comforts he conferr'd before :

“ To smooth the rough laborious road to fame,
Our bard has chosen an *alluring name*.
As wealth in wedlock oft is known to hide
The imperfections of a homely bride,
This tempting title, he perhaps expects,
May heighten beauties—and conceal defects :
Thus *Sixty's wrinkles* view'd through *Fortune's glass*,
The rosy dimples of *Sixteen* surpass :
The modern suitor grasps his fair one's hand,
O'erlooks her person, and adores—*her land* ;
Leers on her houses with an *ogling eye*,
O'er her rich acres heaves an *am'rous sigh*,
His *heart-fall pangs* through *groves of timber vents*,
And runs distracted for—*her three per cents*.

“ Will thus the Poet's mimic Heiress find,
The bridegroom Critic to *her failings blind*.
Who claims, alas ! his nicer taste to hit,
The lady's portion paid in *sterling wit* ?
On your decrees to fix her future fate,
Depends our Heiress for her whole estate.

“ Rich in your smiles, she charms th' admiring town ;
A very *bankrupt*, should you chance to frown :
Or may a verdict given in your applause,
Pronounce the prosperous issue of her cause,
Confirm the name an ancient parent gave her,
And prove her *Heiress* of—the *public favour*.”

The above prologue experienced great success, and proved a propitious introduction to the comedy. Its allusion to modern manners and modern taxes, produced a torrent of applause, while the satire on titled dulness, and the mercenary attacks of beggarly fortune-hunters, seemed to convulse the house.

Our bounds will not permit us to transcribe General Fitzpatrick's "Inscription, intended for a statue of the late Duke of Bedford;" and we must for the same reason omit many other interesting verses.

Some men are extremely dull in conversation, who excel in point of composition; but it must be allowed by all who have lived in company with this gentleman, that he is far from being deficient in companionable qualities of any kind. Indeed we recollect a few couplets, written many years since, by an anonymous poet, which exhibit in a just point of view, the characters of this gentleman and several of his associates. The subject is an invitation to a banquet:

"Of wit, of taste, of fancy, we'll debate;
—If SHERIDAN for once is not too late:
But scarce a thought to ministers we'll spare,
Unless on Polish politics with HARE.
Good natur'd DEVON! oft shall then appear
The cool complacency of thy friendly sneer:
Oft shall FITZPATRICK's wit, and Stanhope's ease,
And Burgoyne's manly sense, unite to please."

The subject of this memoir is a member of the Literary Club, instituted by Dr. Samuel Johnson, and which, at one period, in addition to the great lexicographer, boasted as enrolled among its illustrious subscribers, the names of Fox, Burke, and Dunning. We lament that General Fitzpatrick has never been married. As he was left but a small patrimony, a wife, laying aside many other *weighty* considerations, might have proved serviceable,

even in point of economy, for according to the well known Italian proverb :

“ *Bella femina che ride, vuol dir, borsa che piange.*
Let the country *gentlemen* translate this for themselves !

CAPT. SIR EDWARD BERRY,

OF THE ROYAL NAVY.

“ *VENTIS SECUNDIS.*”

WE have eagerly seized on every opportunity to recapitulate the exploits of our naval heroes, and promulge the services and celebrity of a class of men, who so eminently deserve the applause of their fellow citizens. On this, as on former occasions, we shall commence with a prefatory dissertation, which we consider as not misplaced, when it precedes the biography of an officer who has served under the ablest commanders of the present day, and who has been honoured with the encomiums of the chief who conquered at St. Vincent, and the friendship of the hero who triumphed at the Nile, at Copenhagen, and at Trafalgar !

Human genius has never been more conspicuously displayed, than in the arts connected with navigation ; and a British man-of-war, completely rigged, manned, provisioned, and fitted for sea, may be considered, perhaps, as the ultimate attainment of the powers of man. On this, as on all other occasions, his efforts have been progressive, and excellence has only been attained by degrees.

Various conjectures have taken place relative to

the origin of navigation and the familiar idea of a piece of rough wood floating down a river, is generally supposed to have given the first hint on the subject. By means of one or several trees, slightly joined together, a sufficient degree of buoyancy could readily have been obtained, for the carriage of the first adventurer, who launched into an unknown element, and thus, as the most simple means are always the first resorted to, it is highly probable that the boat was preceded by the raft.

In the place of such clumsy and unmanageable machines, the canoe was at length substituted, and it has been asserted by an ancient writer, that one of the early heroes of Phœnicia was the original inventor. Being destitute of the proper tools, and perhaps also of the necessary skill to excavate a solid body, he had recourse to the agency of fire, the operation of which, perhaps, he might have in some measure assisted, and having thus hollowed a piece of timber, he boldly confided himself to the mercy of the waves. But as every country did not produce a sufficient number of large trees, imitation became indispensable, and the same object, with some additional labour, was at length obtained by joining together several thin boards of wood of a proper size.

These conjectures are in some measure confirmed, by recurring to the practice of those nations, who may be still considered in a state of barbarism. We know that the negro on the coast of Guinea, with but little help from the implements of Euro-

peans at this day, scoops out his little frail vessel, from a neighbouring tree, and with it either paddles across a river, or coasts along the margin of the sea. The remnants of the ancient tribes of North America, display a still greater degree of ingenuity, by shaping the bark of the birch into such a form as to enable them to navigate their immense lakes. The *coracle*, consisting of bended willows, covered with leather, is to be met with even at this moment in Wales, Scotland, and Ireland, and while it displays the infancy of the art, plainly points out the practice of our own ancestors.

Such then originally were the first rude efforts of unenlightened nations; and it must be allowed, that it required no small degree of skill and courage, to venture on the perils of an ocean, the waves of which must have appeared tremendous, while the winds were equally formidable and uncertain. The name of the first man, who dared to brave dangers like these has not been handed down to us, but according to the traditions of the Phœnicians, the Caberites, a race contemporary with the Titans, appear to have been the first people who displayed their skill by the invention, or rather improvement of ship building, and enjoyed the glory of undertaking voyages by sea.

After constructing vessels, it remained to devise means to guide and direct them. The ancients have conjectured, that the fins of fishes furnished the idea of oars, and that the hint of the helm was borrowed from the birds, which direct their flight

by means of their tails. The action of the wind at length suggested the last great improvement : the advantage to be derived from masts and sails, and the Egyptians confer the honour of this important discovery on Isis, while the Greeks attribute it to Dædalus.

We know not at what time the anchor, a machine at once so simple and so admirable, was introduced. It seems to have been originally of stone ; then of wood loaded with lead, and it appears at first to have had only one fluke : it was not until many ages after, that Anacharsis conferred on it the shape which it still retains.

If we wish to form a comparative estimate of this state of society, by recurring to living examples, we must study the voyages of our late navigators to the southern ocean, and become acquainted with a race of people, who, without any communication with the rest of the world, have attained a degree of skill, and even of eminence in the arts of ship-building and navigation. The structure of their vessels, the shape of their oars, the form of their sails, and the dexterity of their steersmen and crews, exhibit a surprising degree of perfection, and appear to be the result of a long series of experiments.

The first navigators undoubtedly confined their efforts to coasting from one head-land to another, along the shores of the ocean, and when driven off to sea, by any sudden gust of wind, they must have considered themselves as lost. - Surrounded by

an immense expanse of waters, and deprived of the manifest advantages to be derived from the modern discovery of the mariner's compass, they were soon rendered sensible, that a correct inspection of the heavenly-bodies could alone afford them any hopes of return, and it was undoubtedly in this way that astronomy came first to be applied to navigation. Antiquity confers the honour of this idea on the Phœnicians, and it is most probable that the constellation of *Ursa Major*,* or the Greater Bear, was for many ages their only guide.

This industrious and enterprising people built Sidon, which for a long time enjoyed the sovereignty of the Mediterranean, and venturing beyond the pillars of Hercules, they landed in Spain; it has been said indeed, that they visited Cornwall for the sake of the tin. Uniting a taste, or rather a passion for commerce, with the science of navigation, notwithstanding a barren and ungrateful soil, they established manufactures, and attained great wealth. But their city was in after ages eclipsed by Tyre, one of its own colonies, built forty years posterior to the destruction of Troy, which became the emporium of all the neighbouring nations.

The Egyptians until the time of Sesostris, entertained an aversion to the sea, and while the wo-

* According to the learned Goguet, the Phœnicians afterwards recurred to the bright star, placed in the shoulder of *Ursa Minor*, by way of enabling them to steer their course.

men alone condescended to employ themselves in merchandise, they regarded those as impious, who dared to embark on the ocean: that element being considered as emblematical of Typhon, the enemy of Osiris, the divinity whom they adored.

The worship of Neptune is said to have been brought from Lybia into Greece; and Cecrops was the first prince who applied himself to navigation, but it was Minos who aspired to the empire of the adjacent seas.

The Argo, probably of equal size, but far inferior construction to a Gravesend boat, has been generally considered as the first ship of war that ever sailed out of the ports of Greece; she carried Jason, the admiral in that celebrated expedition, which took place 1253 years before Christ. Only thirty-five years after this, a fleet of twelve hundred sail was fitted out against Troy. In point of lize, they must, however, have been contemptible, as the vessels were formed out of planks, pinned and fastened with cords to the ribs, while they are supposed to have been destitute of a keel, and assuredly possessed—but a single mast. Being very managable, when the troops had landed, it was customary to drag them up on the beach, in the same manner as the small craft at Deal.

Carthage, a celebrated city of Africa, and according to some, the prototype of Britain, is said to have been founded about the year 890 before the time of Jesus Christ. It owed its birth to ancient Tyre, and being situate in the center of the Medi-

teranean, soon attained an unrivalled eminence. In consequence of an extensive commerce, it was at length enabled to fit out formidable fleets, and having conquered Sicily, Sardinia, and Corsica, acquired the dominion of the neighbouring seas. It was doomed to submit however to a nation that despised trade, and was so ignorant of every thing relating to shipping, that a stranded galley of the enemy became the model, from which its vessels of war were originally constructed. Duilius, a Roman Consul, was the first who obtained a victory over the naval power of Carthage, about 260 years before the Christian era, on which occasion he captured fifty ships, and was rewarded with a triumph. At the conclusion of the second Punic war, five hundred gallies were burnt by one of the stipulations of the treaty that put an end to it, and Carthage was thenceforth permitted to have no more than ten in her possession, while at the conclusion of the third conflict, the inhabitants were ordered to remove from, and not to construct a town, within ten miles distance of the sea !

The Romans had no sooner become masters of the world, than they quarrelled among themselves for the supreme command. They fought generally at land, but at the battle of Actium, 31 years before Christ, Marc Antony, supported by the powers of the East, and Augustus by the strength of Italy, decided the fate of the empire in a naval combat. The marine of the Romans declined with their power, and we behold, after a succession of ages,

the northern nations fitting out vessels for the purpose of piracy; from free-booters they became conquerors, and at length they converted a temporary and precarious sovereignty into a permanent possession.

From a careful perusal of history, we are enabled to deduce a variety of important facts, all of which tend to prove, that naval affairs can be carried to a high degree of perfection among a civilized people alone. Without the intervention of iron, it is scarcely possible to construct even a canoe with any degree of celerity or perfection, and a knowledge of the loom, the shuttle, and the distaff, becomes necessary for the formation of sails. The anchor is supposed to have been invented about 2400 years since, and several rudders were originally applied to effect the same purpose, which is now far more completely performed by one.

Antiquaries after much dispute, seem to have agreed, that the vessels employed by the Greeks at the siege of Troy were actually decked; as to the size, this may be guessed at from the circumstance of their being hauled up on the beach, and launched at pleasure.

After Carthage and Rome had attained a high degree of eminence, hostile fleets were fitted out by each. They must however have been contemptible in point of size, for when the latter aspired to contend for the dominion of the sea, within the short space of sixty days, timber was cut down, and a fleet of one hundred gallies completely manned and

provisioned. These rival nations engaged too, nearly in the same manner as on shore, and as the manœuvres of the present day, were then totally unknown, a sea fight differed but little from an action on land, and the fate of two people was accordingly decided, not in favour of the best sailors, but the best soldiers.

The moderns have improved not a little on the boasted skill and ingenuity of the ancients, and Britain after eclipsing them all, has reaped a rich harvest of glory. One thousand pendants flying on the ocean, the Mediterranean, the narrow seas, in our own ports and our possessions in the East, serve to form an aggregate of power hitherto unknown and undreamed of, and when it is recollected, that of these, upwards of one hundred consist of ships of the line, the astonishment of foreigners will be augmented, and our own wonder triumph complete !

The subject of the present memoir, without any claims to birth or wealth, has carved out his fortune with his sword, and decked himself not in the borrowed plumes of others, but acquired illustration by the splendour of his own individual merits. Sir Edward born about the year 1766, is the eldest son of Mr. Berry, formerly an ironmonger in St. Paul's church-yard. There being no less than seven children, of whom five were daughters, it became absolutely necessary, that the two boys should embark as soon as possible, in some active employment that might enable them to earn an honest and honorable

hood. Accordingly, while Titus* was placed with a surgeon, Edward chose the sea for his scene of action, to which he was propelled by an irresistible propensity from his early years.†

As his father was not rich, and a family of seven was of course expensive, it was at length determined that the latter should enter into the merchant service, which he accordingly did at the age of fourteen; meanwhile the elder Mr. Berry died, and his widow, a sensible and accomplished woman, was selected as the governess of the Miss Saunders's, two young ladies who possessed large fortunes, one of whom is now Countess of Westmoreland, and the other the wife of Mr. Dundas, son of Viscount Melville.‡ By the interest of

* He was so called after his uncle, the Rev. Titus Berry, many years master of an academy at Norwich.

† Trifling circumstances frequently generate indelible impressions, and lead to important events. It has accordingly been suggested to us, that an accidental perusal of the life and exploits of Sir John Berry, in Campbell's "Lives of the Admirals," might have produced this resolution. That gallant officer, born about the year 1644, at Knowston, in Devonshire, where his father, a clergyman resided, appears to have risen from the humble station of boatswain of the Swallow ketch, to the rank of Vice Admiral. He was knighted by Charles II. on account of his gallantry during the action of Southwold-bay, and in 1682, he was Captain of the Gloucester, when that frigate, with the Duke of York on board, was run on shore at the mouth of the Humber, either by the carelessness or ignorance of the pilot. He saved his Royal Highness, by his great presence of mind, and when that Prince became James the Second was promoted to a flag.

‡ These two heiresses, were the daughters of Dr. H. Saunders, 1809-1810.

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their worthy and respectable guardian, young Berry was promoted mate of a West Indiaman, and as such actually crossed the Atlantic, during the American war. While serving in this capacity, he is said to have been *pressed*, an event that at first exhibited a gloomy and sinister appearance to his friends, but which, notwithstanding its melancholy aspect, became the harbinger both of fame and fortune. It has already been observed, that young Berry was a mate on board of the vessel from which he was taken, and it is always customary on these occasions, to treat such with a certain degree of respect. He was accordingly placed on the quarter deck of a man of war, and his mind opening with his situation, he whose humble ambition before aspired no higher than to be the commander of a Jamaica-man, was soon taught to expect a flag.

We are not aware whether it was in the capacity of midshipman or master's mate, that he first served on the quarter deck of a King's ship, but we know well that it was not long before he distinguished himself. An opportunity was first afforded

and the nieces of Sir Charles S. Dr. Garthshore was left their guardian, &c. The writer of this article has been told that in his house, in St. Martin's lane, is a picture of the young ladies, practising with a bow and arrows, while he and Mrs. Berry are superintending their sports. Mrs. B. after her fair pupils had grown up, relinquished her charge, with infinite credit to herself, and becoming the wife of Mr. Godfrey, an opulent chemist, has ever since lived in great respect.

during a contest with a man of war belonging to the enemy ; after she had been *grappled*, there was some danger lest she should escape, but this was prevented by the resolute conduct of young Berry, who placing himself at the head of the boarders, jumped into and obliged her to surrender. On the report of his captain to the Admiralty, a lieutenant's commission became the reward of his gallantry ; this occurred in the beginning of 1794,* he being the sixteenth on the list that year.

Nearly at the same time, another opportunity was afforded for the display of his courage and conduct. The event we allude to has been perhaps already anticipated by the reader : we mean the glorious first of June 1794, the fruitful parent of so many naval conquests, when Admiral Earl Howe obtained a decisive victory over the French fleet, commanded by Vice Admiral Villaret Joyeuse. After the intervention of another sea action,† Lieutenant Berry was promoted first Master and‡ Commander, and then on May 6, 1797, in conjunction with Marsh, Pulling, since drowned, and Prowse, was gazetted as postcaptain, March 6, 1797.

It was during the sea fight just alluded to, that Admiral Earl St. Vincent, by an admirable effort of seamanship, contrived to divide the

* During the administration of the Earl of Chatham.

† The battle of Cape St. Vincent, fought Feb. 13, 1797.

‡ This class of officers, whose situation is often peculiarly hard, is known by the appellation of *Commander only*, in consequence of a recent regulation.

Spanish line of battle, and obtain at one and the same time, an easy and decisive victory. In the second place, it discovered the daring intrepidity of Lord Nelson, who had an opportunity to signalise himself in such a manner, as ever after to be looked up to as a commander destined to add new honors to the British flag, and reap immortal laurels for himself. Let it not be forgotten, that it was this famous action too which first afforded Captain Berry* an

* He was first Lieutenant of the Captain (Commodore Horatio Nelson) on the memorable 14th of February, 1797; was also the first man who boarded the *San Nicolas* of 84 guns, by jumping into her mizen chains, and afterwards assisted his Commander to enter the *San Josef*, of 112 guns, which he took charge of.

St. Vincent, Feb. 14th, 1797.

Memorandum of Commodore, afterwards Admiral Lord Nelson.

“ At one, P. M. the captain having passed the sternmost of the enemy's ships, which formed their van, and part of their centre, consisting of fourteen sail of the line, they on the larboard, we on the starboard tack, the Admiral (Sir John Jervis afterwards Earl St. Vincent,) made the signal to tack in succession. The ships which I knew were the *Santissima Trinidad*, of one hundred and sixty guns, *San Josef*, of one hundred and twelve, *Salvador del Mundo*, of one hundred and seventeen, *San Nicolas*, of eighty; another first rate, and a seventy-four, name unknown, &c. &c.”

“ For near an hour, did the Culloden's captain support this, not only apparently, but really unequal contest; when the *Blenheim* passing between us and the enemy, gave us a respite and sickened the Dons. At this time, the Captain having lost her fore-top-mast, not a sail, shroud, nor rope left, her wheel away, and incapable of further service, in the line or in chase, I directed Captain Miller to put the helm a starboard, and calling for the boarders, ordered them to board.

opportunity to distinguish himself, in the eyes as it were of the whole nation, and also recommended

“The soldiers of the 69th with an alacrity which will ever do them credit, and Lieutenant Pearson of the same regiment, were almost the foremost in this service. *The first man who jumped into the enemy's mizen-chains was Captain Berry, late my first Lieutenant.* (Capt. Miller was in the act of going also, but I desired him to remain;) he was supported by our spritsail yard, which hooked in the mizzen rigging. A soldier of the sixty ninth regiment having broken the upper quarter gallery window, I jumped in myself, and was followed by others as fast as possible.

“I found the cabin doors fastened, and some Spanish officers fired their pistols; but having broken open the doors, the soldiers fired, and the Spanish brigadier (Commodore, with a distinguishing pendant), fell as retreating to the quarter deck.

“I pushed immediately onwards for the quarter deck, where I found Captain Berry in possession of the poop, and the Spanish ensign hauling down. I passed with my people and Lieutenant Pearson, on the larboard gang-way to the fore-castle, where I met two or three Spanish officers, prisoners to my seamen: they delivered me their swords. A fire of pistols, or muskets opening from the admiral's stern gallery, the San Josef, I directed the soldiers to fire into her stern, and calling to Captain Miller, ordered him to send more men to the San Nicholas, and directed my people to board the first rate, which was done in an instant; Captain Berry assisting me into the main chains. At this moment a Spanish officer looked over the quarter deck rail, and said they surrendered.

“From this most welcome intelligence, it was not long before I was on the quarter deck, where the Spanish captain, with a bow, presented me his sword, and said the admiral was dying of his wounds. I asked him on his honour if the ship was surrendered; he declared she was; on which I gave him my hand, and desired him to call on his officers and ship's company, and tell them of it, *and on the quarter deck of a Spanish first rate, extravagant as this story may*

him to the notice of the hero just named, who like himself had been once unknown and unfriended, and like him too had been transferred from on board a merchantman to a man of war.

The moment Captain Berry had attained the rank of captain, he was singled out both by the Commander in Chief, and Rear Admiral Nelson, to accompany the latter in the expedition against the island of Teneriffe. They had formerly acquired glory; wealth was now the principal object of this adventure, and the wines and fruits, and treasures of the Canaries, for a while solaced the thoughts, and became the subject of the dreams of the British sailors, who served on this expedition.

They accordingly left the grand fleet, July 15, 1797, and after the lapse of only nine days, this armament, consisting of three sail of the line, one fifty, one forty-four gun ship, two frigates, a bomb-ketch and a cutter, appeared before Santa Cruz, and landing a body of men, including 1000 marines, obtained immediate possession of it. But being destitute of battering cannon, they were foiled in their attempt on the fort, and a storm coming on, the troops would assuredly have been obliged to surrender, had not both the Spanish officers and

seem, did I receive the swords of vanquished Spaniards, which as I received, I gave to William Fearney, one of my bargemen, who put them with the greatest sang froid under his arm.

“I was surrounded by Captain Berry, Lieutenant Pearson of the 69th regiment, John Sykes, John Thomson, Francis Cooke, (all old Agamemnons,) and several other brave men, seamen and soldiers. Thus fell their ships.”

soldiers been palsied by the nature of a despotic government, which holds out but little encouragement to energy, and delights rather in the reward of baseness than of valour.

Captain Berry was in the boat with Admiral Nelson, when an unfortunate shot shattered the arm of the latter, and rendered amputation necessary. This circumstance afforded him an opportunity of paying a compliment to the subject of this memoir, worthy of one of the heroes of antiquity, and which appears rather to be an anecdote borrowed from the pages of Plutarch, than a *bon mot* of the present day.*

When his friend and commander, Sir Horatio Nelson, was dispatched by Earl St. Vincent to Egypt, we find Captain Berry acting as his captain, on board the flag-ship, the Vanguard of 74 guns. After encountering a severe storm, which called forth all the patience and seamanship of the respective officers, and being joined by Captain Trowbridge, in the Culloden, with ten sail of the line, the very prospect of which reinforcement had induced the admiral to embrace Berry on the quarter deck, they sailed in quest of the famous French fleet,

* It has been said, that when Admiral (then Sir Horatio Nelson), was presented to the King, at the levee, his Majesty was pleased to compliment him on his exploits, after which he concluded his eulogium with condoling the gallant Commander on the loss of one of his limbs. On this, turning round to Captain Berry, who had accompanied him, he introduced him to his Majesty, with the remark, "that he had not experienced great loss, as this officer was his right hand!"

encumbered with the troops of Bonaparte, and fraught with the fate of Egypt. Having arrived a second time at the mouth of the Nile, on the 1st of August, 1798, a battle which will be ever memorable in history, immediately ensued, the particulars of which have been very ably narrated by the subject of the present memoir.*

We shall not, on this occasion, recapitulate the occurrences of this brilliant action, but it is proper here to remark, that when the gallant Nelson was struck by *langridge* shot, which cut the skin off his forehead, so as to cover his face, *his* captain caught him in his arms, and sent him down to the cockpit, for the purpose of inspecting a wound, deemed mortal. Being then the chief officer on the quarter deck of the Vanguard, Captain Berry perceiving, notwithstanding the darkness, that *Le Spartiate* of 74 guns, and 700¹ men, was dismantled, he sent Lieutenant Galway, with a party of marines, to take possession of her, and the latter soon after delivered the French commander's sword to his admiral, who at this moment experienced great agony. His sufferings, however, were greatly alleviated, on hearing from this officer that the victory was decided; and when Berry communicated at ten minutes after nine o'clock at night, that the *L'Orient*, the French admiral's ship was on fire, he got on deck, and ordered out his only remaining boat, for the purpose of saving the lives of such of the

* See Harrison's Life of Lord Nelson, vol. 1, p. 260.

crew as had escaped the flames, and were in the water previously to the explosion, which soon followed.

Here follows an extract of a letter from Lord Nelson to Earl St. Vincent, dated "Vanguard, off the Nile, August 3d, 1798," which will serve to convey an idea of the estimation in which he held this officer :

"The support and assistance I have received from Captain Berry cannot be sufficiently expressed. I was wounded in the head, and obliged to be carried off the deck, and the service suffered no loss by that event. Captain Berry was fully equal to the important service then going on, and to him I must beg leave to refer you for every information relative to the victory. He will present you with the flag of the second in command, that of the Commander in Chief having been burnt in the *l'Orient*.

"I have the honour to be, &c.

"HORATIO NELSON."

Captain Berry was accordingly sent in an old forty-gun ship, the *Leander*, Captain Thompson, with an official dispatch, containing the particulars of the victory, directed to the Commander in Chief of the fleet in the Mediterranean; unfortunately, however, this vessel was intercepted by *Le Genereux*,* of 74 guns, off the island of Candia, August 16, 1798.

* This ship had escaped after the battle of the Nile, and was commanded by Captain Lejoille, who had 900 men on board, of whom 100 were killed and 180 wounded. The *Leander* had 35 killed and 58 wounded.

At any other time, or with any other men, an immediate surrender would have been dictated by the cool resolves of prudence; but the heroes of the Nile, glorying in their late conquest, were not likely to listen to any other counsel than what was suggested to them by their own courage. Notwithstanding they were 50 men short of their complement, a bloody and desperate action accordingly ensued, in the course of which the subject of this memoir, wounded in the arm by a splinter from a human skull, and covered over with the blood and brains of the dead and dying, was obliged, reluctantly, to consent to surrender.

Meanwhile the intelligence of the victory had been brought home by Captain Capel, on which honours of every kind were decreed to the conquerors. Captain Berry, after his exchange, was knighted by his Sovereign, and the freedom of the metropolis was at the same time presented, in a gold box of one hundred guineas value. On the latter occasion, Mr. Chamberlain Clarke complimented him in a set speech, in the course of which it was observed, "that the city of London was particularly happy, on this occasion, to celebrate the magnanimity of one of its own citizens."

After residing some time at Kensington with his mother, now again a widow, Sir Edward repaired to Bath, for the purpose of drinking the waters, and restoring his health. On his recovery, he determined to marry, and having been lately left a small fortune by an uncle who had resided many years in India, and being now in the way of prefer-

ment, he was united to the daughter of Dr. Foster, of Norwich, and thus Lady Berry became his wife as well as his cousin german.

In the autumn of 1799, Sir Edward repaired once more to the Mediterranean, as captain of Lord Nelson's flag-ship. On this occasion he took his passage on board the Bull-dog, and on rejoining the Foudroyant, Lieutenant (now Sir Thomas Hardy), who had commanded during his absence, was placed in the Princess Charlotte.

While his gallant friend and commander the hero of the Nile, was at Naples, the flag-ship was sent with a small squadron under Captain Manly Dixon, partly to assist in the reduction of Malta, and partly to prevent the escape of the thirteenth, and last of the line-of-battle ships of the famous French squadron, fitted out for the conquest of Egypt. The English proved fortunate in both instances, and it will be seen from the two following communications, the latter of which is an able professional letter, that the subject of the present memoir had the good fortune to be present, and to take an active part in the fight, which terminated with the surrender of Rear Admiral Decres.

LETTER I.

" Foudroyant, 30th March, 1800.

" My dear Lord,

" I had but one wish ; it was for you. After a most gallant defence, Le Guillaume Tell surrendered, and she is completely dismantled.

" The Foudroyant's lower masts, and main top-mast are stand-

ing : but every roll I expect them to go over the side, they are so much shattered. I was slightly hurt in the foot ; and I fear about forty men are badly wounded, besides the killed, which you shall know hereafter. All hands behaved as you would have wished.

“ How we prayed for you, God knows, and your sincere and faithful friend,

E. BERRY.”

From the second Letter of the same date, we shall here give one or two extracts :

“ My dear Lord,

“ Had you been a partaker with me of the glory, every wish would have been gratified. How very often I went into your cabin last night, to ask if we were doing right, for I had nothing to act upon !

“ I thought that one ship had got out of La Valette, but I did not know which. The Minorca hailed me after I had slipped, and said Captain Blackwood *believed* an enemy's ship had passed on the starboard tack. The wind was south. I came aft and considered for two minutes ; which determined me to stand on the starboard tack, one point free. This was at three quarters past twelve.

“ After hearing guns on shore, and seeing rockets thrown up, the night remarkably dark, could just carry single reefed top-sails, top-gallant sails, gib, and main top-mast stay-sails. At one, heard guns to eastward, saw false fires ; then some rockets. Put the helm up ; brought these rockets and false fires, to bear two points on the weather bow ; could then carry royal and top-gallant sails, and reefed fore top-mast studding sail. Got her to go ten and a half, and eleven knots occasionally.

“ Every now and then I saw the flashes of guns ; kept steering a steady course eastward ; set the lower studding-sails occasionally : frequently obliged to take in the royal and top-gallant stay-sails, Was convinced at three o'clock there was a running fight of some sort. Thought it never would be day-light. Praying earnestly for you to fly on board.

“ At last day-light came : Saw a ship firing into a ship with the main and mizen top-mast gone ; and a ship going athwart her, firing. She wore, and the Lion was to leeward : At this time

her running-rigging much cut, and appeared very ungovernable; firing occasionally at the *William Tell*; which I was surprised to see was not returned by the enemy as they were within gun shot.

"But it was not long ere I had good reason to know, that a most tremendous broadside was reserved for me. Begun to shorten sail; hauled the main-sail up, and had every gun loaded with three round shot. She was on the larboard, I on the starboard tack; I therefore steered, as if meaning to go to windward of her: but determined to go close to leeward, kept the weather leechees of the main and mizen topsail lifting; and at six backed the mizen top-sail, running as close as possible to avoid touching.

"I went on the gangway, and desired the French admiral, whom I distinctly saw, to strike; which he answered by brandishing his sword, and firing a musket at me; he fired a most tremendous broadside in, of round, grape, musketry, and langridge! The good effects of being so close was manifest. It was only our sails and rigging that suffered considerably, as not one running rope was left.

"But if what we received was tremendous, our return was furious; and not to be stood against but by determined veterans. The obvious effects silenced his musketry, but not the great guns; though we could distinctly hear the shot crash through her, and the main-mast began to totter.

"Fortunately I kept way on the *Foudroyant*; and was, though with infinite difficulty able to wear, and give him as complete a dose from the larboard as we had done from the starboard side; and down came his main mast. The action then continued with great obstinacy. A man in the height of the fire, nailed the French ensign on the stump of the main mast. By this time our fore top-sail was over the side, main top-sail down, yards shot away, mizen-top gallant-mast and main sail—indeed every sail in tatters.

"The enemy's mizen top-mast was gone; which enabled him to wear and to draw a-head of us. His men were on deck very active in clearing away the wreck, regardless of the fire; and they fixed a small French admiral's flag on the stump of the mizen mast, over another ensign that was nailed there, which seemed to bid defiance to us. At half past seven we had sepa-

rated a little a-head to his stern. The Lion gave him many broadsides; but he preferred firing at us, when a gun would bear.

"I threw out the Penelope's pendants, who had just raked the enemy, and got her within hail; and begged that Blackwood would take me in tow, and get me once more close along side the William Tell, which he was in the act of performing—for when I watched a favourable moment to call the people from the main-deck guns, and filled the main sail, and secured the mizen mast; and with a few rugs forward (the sprit-sail yard, jib-boom, &c. being all shot away), got her before the wind, and had the happiness to get once more close along side of her—the action then began again with more obstinacy than before.

"Our guns were admirably well-served and well directed, crashing through and through her. At eight I began to think they were *determined* to sink rather than surrender; as she began to settle in the water, till her foremast went over her side: when, in a few minutes after, the gallant Decres struck, having four hundred killed and wounded, as the prisoners report.

"I felt my heart expand, when I took this brave man by the hand; happy to find he had survived so much honour, when you consider the superior force of three ships—the Lion, the Foudroyant, Penelope, and the two brigs in company with the Strombolo.

"I sent Lieutenant Bolton to take possession of the prize; but as I had great difficulty in floating our boat, Captain Blackwood's officer got there before him. The Admiral of course he carried to the Lion, being the Commander; but I hope our officers will get promoted for it.

"You will see the letter I have written you on this subject is with a view of your enclosing it to Lord Spencer, if you approve of it. You know how to distribute my best wishes and regards to all your party; and that I am, my very dear Lord, your affectionate and faithful

"E. BERRY."

Foudroyant, at sea, Cape Passaro, North by East, 8 or 9 leagues, 20th March, 1800.

Soon after this, Sir Edward conveyed the Queen, and part of the royal family of Naples, from Palermo to Leghorn, on which occasion he was presented with a valuable diamond ring, enclosed in a gold box.

During the short peace that ensued, being unemployed, he passed his time in the bosom of his family. On the renewal of the war, he was aroused at the call of friendship and his country, for having offered his service, he was immediately appointed to the command of the *Agamemnon* of 64 guns, and soon after placed himself under the flag of Admiral Lord Nelson. At the ever memorable battle of Trafalgar, in which that hero perished in the arms of victory, October 21, 1805, Captain Sir Edward Berry's pendant was the 8th in the British van, or weather column, and he, as usual on this occasion, justified the hopes that had been formed of him.

In consequence of his conduct then, and also by way of reward for his former services, he obtained a patent of baronetage, as Sir Edward Berry of Catton, in the county of Norfolk, which bears date November 11th 1806. His uniform is also adorned with a gold medal, and his name inscribed on the register of the Patriotic Fund.

THE RIGHT HONOURABLE
SPENCER PERCEVAL, M. A.
 CHANCELLOR OF THE EXCHEQUER.

FREDERIC the Great, of Prussia, was accustomed to observe in his familiar moments, that the most pleasing dream an European sovereign could enjoy, was that in which he might suppose himself king of France! As for Us, we really think, that the finest flight of imagination on the part of a British subject, attached to order, an advocate for rational liberty, and deeply imbued with true patriotism, would be to conceive himself a minister of England.

Shaking off all low and grovelling interests, like "dew drops from the lion's mane;" what salutary changes might he not suggest, how many necessary reforms might he not effect, and what a harvest of glory could he not reap, during the administration of only a few fleeting hours. Methinks I behold the hydra of corruption trampled under his foot, and the serpents of influence writhing beneath the salutary efforts of his manly arm. The Herculean labour soon strips the filth, the film, and the slough of more than a hundred years duration from the noble gothic arch erected by our Saxon ancestors, and the goodly pile once more greets the eye, and gratifies the proud heart of every Briton. The broad and ample foundations, no longer encumbered with a mock representation of strength and ma-

jesty, display the original rustic base, on which the repose and happiness of millions depend ; above this, in equal order and graceful proportions, rises the aristocratical portion of the structure, while the regal key-stone, surmounting the well-proportioned mass, adds to its dignified appearance, and by at once strengthening and adorning the fabric, renders the whole complete. May some great political architect arise, and render this vision a reality !

Mr. Perceval, a minister of whom we are now about to treat, is descended from a very ancient family, and it is not a little remarkable, that his ancestors,* for more than a century, have been en-

* The philosopher, who, scorning vulgar prejudices, rises above his age and his country, by considering merit as merely personal but not hereditary, looks doubtless with contempt on those pretensions which prop up human vanity, by a recurrence to the actions and renown of others. Yet as one of the immediate progenitors of the present Chancellor of the Exchequer, John Perceval, second Earl of Egmont, has been at great pains in his splendid work, entitled, " The History of the House of Ivestry," in which he was assisted by Anderson, author of " The Royal Genealogies," and Mr. Whiston of the Tennis Court, to reflect celebrity on himself and his successors, we shall here take some pains to give an abridged account of the whole.

It is contended (Vol. I. fol. 7.) that this family originally sprung from Robert, a younger son of Eudes, sovereign Duke of Brittany in France. Having been transplanted into Normandy, they were possessed of the castle of Yvery at the Conquest, and invested with the office of hereditary butler of the duchy. It appears also, that either influenced by glory, or the hopes of spoil, two of his family, Robert and Roger de Yvery, accompanied William the

1809-1810.

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gaged, like himself, in some shape or another in public affairs, but chiefly in the collection of the revenues of the sister kingdom. The first of them,

First to England; from the former of these, is thought to be descended the present Earl of Egmont, and it is not a little remarkable of the latter, that having entered into a compact cemented by an oath with Richard D'Oily, another of the invaders, to be joint sharers in this adventure; they mutually divided several of the Saxon estates, obtained either by marriage or conferred by the sword, between them.

Ascelin Gouel, called also Gouel de Percheval, and Gouel de Yvery, was surnamed Lupus, whence the English title of Lovel has been taken, engaged in the petty wars of Normandy, in consequence of a quarrel with the Earl of Breteuil, who wished to punish his youngest brother William, for ravishing a woman at Pacey, a town belonging to him.

Robert, his eldest son, notwithstanding recent obligations, in 1119, took arms against King Henry I. in conjunction with other malecontents, and appears to have been deprived of his lordship of Yvery on account of his rebellion; on this he changed sides, attacked his former allies, and ever after remained a loyal subject.

His next brother, William Gouel de Perceval, surnamed also *Lupellus*, or the little wolf, on his demise immediately engaged in arms against the king; but the insurgents having been miserably beaten at the battle of Thurold, the Lord of Yvery was taken prisoner by a peasant. He however bribed him with his arms to allow him to escape, and having been shaved, reached the banks of the Seine; but as he was destitute of money, he was obliged to give his shoes to the boatman, in consequence of which he "returned home bare-footed." It was he who completed the castle of Kary in the county of Somerset, and, in conjunction with other barons, manned it against King Stephen.

To him succeeded Henry Lupellus and his brother William, whose *foubriquet* was softened into Lovel. The son of the latter, John, second Lord Lovel (as the name was now pronounced),

who went to Ireland was John Lord Lovel, at the request of Richard II. His son Francis repaired thither on a less loyal occasion.

Richard Perceval, Lord of Sydenham, born in 1551, was a man of extraordinary parts, which in the early portion of his life were equalled at least by his

was summoned to Bristol 41st of Henry III. to attend the King into Wales; and John, third Lord Lovel, of Tichmarsh, was summoned to parliament 28th of Edward II.

John Lord Lovel, the seventh of that name, was a knight of the garter, and after joining the barons against the king, succoured the king against the barons. He was the first of his family employed in Ireland, whither he was sent twice by Richard II.

Francis Lord Lovel and Holland, perceiving that his father John ninth Lord Lovel and Holland, had lost greatly by his attachment to the house of Lancaster, courted the favour of the house of York, and in the 22nd of Edward IV. was created a Viscount, appointed lord chamberlain of the household, constable of the castle of Wallingford, and chief butler of England. He afterwards fled from the battle of Bosworth, and repaired to Ireland in the service of Lambert Simnel, the counterfeit Duke of York, &c. for all which he was attainted during the reign of Henry VII.

The male line of this branch, however, was still continued by William Lord Lovel, of Morley, and his son Henry having been killed at Dixmude, the male line of this branch also became extinguished; on this Alice, his sister, succeeded to the baronies, &c. which, together with the hereditary office of lord marshal of Ireland, she conveyed to her husband Sir William Parker, Knight, Lord Morley in her right. Their lineal descendant and sole male, was Sir Philip Parker, a Morley Long, Bart. whose sister, Catharine Parker, became the wife of John first Earl of Egmont, and mother to the late Earl.

Those who do not possess the superb, scarce, and costly volumes alluded to above, may recur to Vol. viii. of *Colene's Peerage*, p. 137.

indiscretion, having become accidentally acquainted with Lord Burleigh, that statesman employed him in several important transactions, and it was he who decyphered a dispatch from the court of Spain, giving the first regular intimation of the Armada. Her Majesty was so much pleased, that he was nominated Secretary to the Court of Wards in England, and sent to Ireland twice with a view of extending its powers there. In 1616 he was nominated register of that court, and being succeeded by his son Sir Philip, who obtained a reversionary grant of his office, the latter, at the same time, obtained the immense estates of his father, then estimated at 4000*l.* per annum, besides 60,000*l.* in stock, &c.

This knight took part with Charles I and lost nearly the whole of his fortune during the troubles.* He appears, however, to have at length yielded to the stream of power and opinion, when he was no longer able to oppose them with any prospect of success; for in 1641-2, he was appointed commissary-general of the Irish army, with a salary of 3*l.* 7*s.* 6*d.* per day. In 1642 he was nominated providore-general of the horse, and began to be considered at Oxford as a "round-head;" in 1644 he accepted the offers made him by Pym

* It appears by the petition of Sir John Perceval, his son, after the Restoration, that the losses of his family, between the years 1641 and 1660, were estimated at two hundred and forty-eight thousand and four pounds, nine shillings, and one penny—an astonishing sum in those days!

and Holles, in consequence of which he became a member of the *rump*, or long parliament, and dying in 1647, was buried by order and at the expence of that body.

Sir John Perceval, his eldest son, having acquired the favour and esteem of Henry Cromwell, with whom he had contracted a great intimacy at Cambridge, was sent over to settle the affairs of the province of Connaught, into which province, by his advice, in opposition as he said, to other more violent measures, the unhappy "papists" against whom both he and his father appear, in conformity to the custom of the times, to have entertained a great enmity, were to be transplanted. His services on this occasion, obtained for him a restoration of his estates, as well as of the offices of Clerk of the Crown and Common Pleas.

Soon after the Protector's death, he was at great pains to prevail on his friend Richard Cromwell to resign his power, and on the return of the secluded members to parliament, he was appointed Clerk of the Crown, Prothonotary of the Common Pleas, and Keeper of the Public Accounts in Ireland.

As he had profited by all former changes with one single exception, so on the Revolution he was created a baronet, with this remarkable clause in his patent, "that the eldest son, or grandson, shall exist a baronet after the age of twenty-one years, at the same time with his father or grandfather." In 1662 he was restored to the place of Register of the Court of Wards, and afterwards appointed Re-

gister of the Court of Claims, a commissioner for executing the act of explanation, &c. &c.

Sir John Perceval, his son, also obtained a variety of lucrative offices in Ireland; Sir Edward, his grandson, is said to have sustained a loss to the amount of 40,000*l.* during the disorders subsequent to the Revolution; Sir John, his brother, who became the first Earl of Egmont, repaired to Ireland with the Duke of Ormond in 1704, and in 1732 was appointed President under the charter for peopling the province of Georgia.

Dying of a paralytic affection in 1748, he was succeeded by his eldest son John, second and late Earl of Egmont, the father of the subject of the present memoir. After receiving a good education at home, and travelling into foreign countries in 1741, he became one of the representatives for the city of Westminster. In 1747 he was appointed one of the lords of the bedchamber to Frederick, late Prince of Wales, in which station he continued until the demise of that prince. On the accession of his present Majesty, Lord E. was nominated a Member of the Privy Council; in 1762 he was called up to the House of Peers, by the title of Lord Lovel and Holland, two baronies forfeited by the attainder of Francis Viscount Lovel, 1st of Henry VII. Four months after this, he was appointed one of the Postmasters-general, and in 1763, he became First Lord of the Admiralty. His lordship died in 1770, and had by his first wife five

sons and two daughters, and by his second, three sons and six daughters.

The Right Honourable Spencer Perceval, his Majesty's present Chancellor of the Exchequer, and second son of the late Earl of Egmont of the kingdom of Ireland, and Baron Lovel and Holland in England, by Catharine Compton,* sister to Lord Northampton, was born at his father's house in Audley-square, Nov. 1, 1762. He was named after his uncle Spencer, the eighth and late Earl of N. and as his father enjoyed the friendship of Lord Bute, the Premier, during whose administration he presided at the admiralty, his lordship doubtless entertained well-founded hopes, that his sons might aspire for the highest offices in the state. He died, however, of a paralytic affection, when he of whom we now treat, was only eight years of age, and consequently at a period, when, instead of being included in the "lives and characters of eminent men in England," a work in which his father was actually engaged at the time of his demise, young Spencer was probably reading the histories of the illustrious men of Greece and Rome, in Eutropius. He was brought up at Charlton in Kent, where his father had a house, and where his family, becoming acquainted with that of the late General

* This lady, on the 19th of May, 1770, was created a peeress of Ireland, by the style of Lady Arden, Baroness Arden, of Lohart Castle, in the county of Cork, &c. to herself, and her heirs male. Her ladyship was succeeded by her eldest son, the present Lord A. who, in 1802, was created a peer of England.

Sir Thomas Wilson, the lord of the manor, two of them have since married a couple of his lovely daughters. At a proper age he was removed to one of the great public schools,* whence he repaired to Trinity College, Cambridge, where one of his progenitors had been educated with Henry, son of Oliver Cromwell, and was a contemporary with the Hon. L. Saville, now Earl of Scarborough; the Hon. L. Dundas, son of Lord Dundas; and Messrs. Garnet, Rippon, Lefevre, Owen, Thornton, &c. While there, Dr. William Lort Mansell,† the present Bishop of Bristol, was his tutor; but we do not find his name among "Browne's" or the "Chancellor's medallists;" the "Members," "Seatonian," "Norrisian prize men," or the "Triposes."

Mr. Perceval, however, obtained the degree of M. A. which shortened the road to the bar, for thither he was now hastening, having been entered of Lincoln's Inn, of which he was then a bencher. He commenced his career by accompanying the judges through the midland circuit;‡ but it has

* Harrow.

† While M. A. of Trinity in 1788, Mr. Mansel was elected public orator, and afterwards became the head of a college and a dignitary of the church.

‡ On this circuit he was opposed to Mr. Serjeant Vaughan, and first distinguished himself on the trial of George Thomas, of Brackley, in Northamptonshire, for forgery, against whom he was retained as counsel. Mr. Law, now Chief Justice, was on the other side.

At this period, he had chambers in Lincoln's Inn, together with a house in Bedford-street, opposite Bedford-row, whence his family removed to Hampstead.

been said, that his practice was never very extensive, either there or in Westminster-Hall.* He was, however, considered as a rising man, and this was soon rendered evident, for he was appointed counsel to the Admiralty, and in 1799 he obtained a silk gown, but without a patent of precedence. His own university also paid him a high compliment, by his nomination as one of its two counsel.

From this period, his professional preferments were rapid, for in 1801 he succeeded Sir William Grant, the present Master of the Rolls, as Solicitor, and in 1802 became Attorney General in the place of Sir Edward Law, now Lord Ellenborough, and Chief Justice ; the latter office he held until Mr. Fox and Lord Grenville came into power in 1806.

Mr. Perceval, long before this (August 10th, 1790) had paid his homage at the shrine of wedlock, by an union, we believe, singularly propitious, with Miss Jane Wilson, the youngest daughter of Sir Thomas Spencer Wilson, of Charlton, in the county of Kent, by whom alone he bids fair to have as many children, as his father with both his wives—the number was sixteen.* With this lady he had got acquainted early in life, by the country

* He began in the King's Bench, and then removed to the court of Chancery.

† His brother, Lord Arden, in 1787 married Margaret Elizabeth Wilson, the elder daughter,

seats of the two families happening to be in the same parish, as has been already intimated.

Meanwhile, Mr. Perceval, partly propelled by his own ambition, and partly by the spirit of his original destination, had determined on a public parliamentary life. The war with France was congenial to his own wishes, as well as those of his family; and on the circuit he had already distinguished himself by his zeal in the management of some of those prosecutions, by means of which an administration that had ceased to be loved, succeeded in rendering itself feared. With Mr. Pitt, we believe, he was but slightly acquainted; that gentleman, who was his senior by three years, had been a *Johnian*, and retired from the University of Cambridge, before the latter had his name entered on the roll of Trinity College. We have been informed indeed, that Mr. Perceval, who greatly admired his eloquence, and generally seated himself in the gallery, when he spoke, first recommended himself to the notice of that celebrated orator, by means of a political pamphlet, in which the son kept up the family pretensions to literature, and exhibited that taste for composition, which had induced Horace Walpole to insert his father's name in his "Catalogue of Noble Authors."*

At length an event occurred, in consequence of

* We understand, that this publication had for its object to prove, "that an impeachment did not abate by a dissolution." This is a constitutional doctrine!

which he himself had an opportunity of entering the political arena, and exhibiting his prowess in St. Stephen's Chapel. In consequence of the demise of his maternal uncle April 7, 1796, a vacancy for the representation of the borough of Northampton took place, as his first cousin, Lord Compton, by succeeding to the earldom, of course vacated his seat. In addition to the ties produced by consanguinity, those still dearer attachments, engendered by friendship, were formed in early life, for they were both Trinity men and nearly of the same standing.

As the influence of Castle Ashby had, during the last century, been very considerable with the corporation of the neighbouring borough, the present Earl of Northampton succeeded his father as recorder, while his friend and relative Mr. Perceval, who had been nominated deputy recorder, was also returned one of the members, in consequence of the new writ issued on this occasion.

It has been usual with aspiring men to commence their public career by acting with the opposition, and attracting the notice of the public by means of a *set* speech. Neither of these occurred on the present occasion, for we find Mr. Perceval rising, we believe for the first time, June 2, 1797, at a very critical period, for the express purpose of saying a few words in support of Mr. Pitt, the premier of that day, who, in consequence of the commotions at the Nore, &c. had brought in a bill "for the better prevention and punishment of all

traiterous attempts to excite sedition and mutiny in his Majesty's service." On this occasion, he suggested a mode for avoiding delay, and also for conciliating the opinions of all parties, by denominating the offence felony, but within the benefit of clergy; he also proposed, that there should be a discretionary power, either of transportation or imprisonment, both of which amendments were adopted.

On the 4th of January, 1807, the subject of this memoir, in a long and able speech, supported the "assessed tax bill."

"He began, after a short preface, by replying to what had been advanced by Mr. Hobhouse in opposition to it, and contended, "that he, not Mr. H. was 'pleading the cause of property,' by supporting the measure, which was to protect it. It had been contended," he added, "by an honourable baronet (Sir Francis Burdett) that the application of the money would enable ministers to carry on a war against liberty; but if the present war was a war against liberty, it was that species of liberty against which, he trusted, we should ever bear arms—it was against the importation of French liberty into England. The period too, at which this observation was made, was precisely that, when preparations were making for the invasion of this country by an army, bringing with it in its train all the ruin of French reform and French principles; yet this was the time chosen for declamation against perseverance in the war, which we are also told by the same authority, was continued from an apprehension that such a form of government would arrive in France, as by the contrast should render Englishmen dissatisfied with that under which they lived.

"When he saw those gentlemen, who had now reassumed their seats (the opposition) absent themselves from the House, he had at first supposed they did so, lest they should disturb the unanimity of that assembly. When he had conceived their motives

to be such, he felt astonished at seeing them return to give a dissenting vote on the present occasion.

“ In respect to the measure now under consideration, it was the urgency of the times which constituted its leading feature. It was not in our power to choose a peace—the enemy would give none. It did not remain with us to sheath the sword, but with them; for until we had evinced ourselves disposed to shew all the meanness of concession to the propositions first brought forward, the Directory was not prepared to state its ulterior terms of degradation, unless our government had been base enough during the negotiation at Lisle, to have conceded those terms of peace which a victorious army would have thought itself entitled to have dictated in the centre of the metropolis, it is not likely that one could have been obtained.

“ But it had been urged, that the present war was unnecessary, unless as far as it was essential to the continuance in office of the present administration. If this was the case, we were to suppose that it was possible that a negotiator was to be found on the other side of the House. We had learned from the speeches of the Directory, that we were to pay the price of our own subjugation; we had also heard, that they (the opposition) would introduce reform, or else they should be liable to the objection of having deserted their friends. Supposing then, that a change of administration were to take place, and that the right honourable gentleman opposite (Mr. Fox) were to come into power, on what terms would he be willing to form a part of administration? He had already declared, he would not come in without a total fundamental and radical reform of Parliament; and he begged the House to attend to those most chosen, dangerous, and alarming words.

“ If the right honourable gentleman were our negotiator, it was probable indeed, that peace might be obtained, since one of the wishes of the French, that of seeing him in power, would be thus gratified. He begged gentlemen would attend to the words of the enemy, when professing friendship for this country, and they would see nothing in them favourable to a peace, on practicable terms, but that all they implied was, that they had a party in this country.

"If the House agreed with him in their opinion of the necessity of continuing the war, the only question, as relating to the present measure then was, whether it would be considered as prudent to raise a large proportion of the supplies for the service of the year, within the year? As he had heard no argument against this, he must suppose that the House had coincided with him in opinion. It had been admitted by the honourable gentleman (Mr. Fox) that this would have been a good measure if it had been adopted at the beginning of the war; and he supposed, that this admission proceeded from an idea, either that the increase of the funding system was injurious to posterity, or that the interest of it was too great for the country to bear; in either case it seemed to him evident, that an addition of two hundred millions of debt rendered it necessary to have recourse to some other plan; and then the only question to be considered was, whether any other manner of raising money promised to be attended with better success than that now proposed?

"It had been said, that the people now began to question whether, if the enemy came, they could do worse. Did the people ask this, and was any one unprepared with an answer? If he was, I will furnish him with one—the enemy would not assuredly act better towards us, than they have done toward their own subjects. Let men of a certain rank recollect how they treated those in their station; let the shopkeeper, now said to be afraid of the direct operation of the present tax, think what must have been the effect of a forced loan; let every man recollect, that rising in regular proportion until they reached the sum of 9000 livres, when they took one half, each income was reduced to the standard of about 180*l*. few being left a larger sum than that for their avowed expenses; yet the present measure of assessments has been said to be worse than any that had ever been adopted by Robespierre; nay, it has been put in competition with the total confiscation of property." He concluded with an apology for occupying so much of the time of the House, "on a subject respecting which there ought to be no difference, as no reasonable person could, he thought, hesitate in agreeing, that Parliament did right in calling

for large and liberal supplies proportioned to the ability of every man to contribute."

He was well attended to by the House, and followed by Mr. Sheridan, who commented on and answered several of the arguments, observing at the same time, "that this was a speech of great talent, great ingenuity, and considerable vehemence."

From this period, Mr. Perceval appears to have paid a particular attention to matters of finance, and to have spoken almost on every subject connected with the revenue, particularly in December 1798, when he defended Mr. Pitt's new scheme for collecting the assessed taxes; nearly at the same time, he observed in reply to some observations on the part of Mr. Tierney, "that tricking in love, and tricking the public, were both in his opinion unquestionably immoral."

On June 19, 1800, Mr. Perceval rose and stated, "his full conviction, that something ought to be done by the legislature, to amend and alter the law as it now stood, relative to adultery; and although the late motion to that effect had miscarried, he was well assured that the fate of the bill in question had given great concern to many serious and thinking persons, who had turned their thoughts to the subject." Four days after this, he spoke at great length on the "Monastic Institution bill," which he supported. In the course of his observations, Mr. P. remarked,

"That it was the spirit of the Catholic persuasion to make as

many converts as possible—indeed it was the principle of every religion to a given extent, but emphatically so of this ; and therefore, while we were talking of kindness to the Catholics, and while we expected gratitude from them for such kindness, we ought not to be surprised if that gratitude consisted in their endeavouring to convert the whole nation ; nor should we be angry with them for such an attempt, as they believed they could not obtain for us a greater blessing, than to make Catholics of us all : but it was our business to be on our guard against such a spirit, since it was utterly inconsistent with the spirit of our own constitution.

“ Notwithstanding he would not say a word against toleration, as there was not a man in England who had more esteem for it than himself. This, however, did not compel him to lay aside all precaution against the possible effects of the overgrowth of popery in this country. He should not wish to see a hair of a man's head hurt on account of his religious opinions ; but that did not compel him to think Catholics were the best subjects in this country ; on the whole, he wished that the bill might go into a committee, in order to receive the necessary amendments.”

Soon after this, the subject of this memoir attained the first grand step in his profession, having been appointed Solicitor General at the age of thirty-nine. In 1802 he became Attorney General, which he held during a period of three years and ten months.

As all objects connected with religion had engaged the particular attention of Mr. P. so in 1803, on the discussion of the “ Clergy Non-residence bill,” he objected to the lax manner in which some of the clauses were worded ; reprobated the principle of depriving the parishioners in every part of England, of the advantages of a residentiary clergyman for one quarter of a year ; and considered

ed the present "rather as a bill of relaxation, than a bill of restriction." He at the same time declared, that he considered "pluralities as a great grievance," and was of opinion, that the discretion of granting exemptions should be vested in the bishops.

The Attorney General was a strenuous advocate for the union, under Mr. Pitt's administration, and during Mr. Addington's, he was eloquent in defence of the bill for correcting the abuses in the navy; on that occasion, a skirmish took place with Lord Temple, about the latter's entering into a new career of opposition. He also, on May 24, 1803, defended the origin of the present war with France, observing, "that if ever there was a contest commenced on honourable principles, it was that we were about to enter into; for there could be but one opinion relative to the necessity of stopping the alarming increase of the power of so dangerous an enemy." When the petition of the Catholics of Ireland was brought forward in 1807, he opposed Mr. Fox's motion, on the ground that concession would only encourage new claims, highly detrimental to the Protestant interest; and on the question of impeaching Viscount Melville, he divided with those who voted for the negative.

But the time had at length arrived, when Mr. Attorney General was to be excluded by a change in the administration, from place, authority, and emolument. In consequence of a second coalition, to the full as singular as the first, Mr. Fox and Lord 1809-1810.

Grenville, by the death of Mr. Pitt, found themselves in possession of power. Several of their measures, particularly those first recurred to, were deemed unconstitutional, by a large portion of the nation, and the popular voice coincided with the new opposition, in which Mr. Perceval occupied a conspicuous station, both in respect to Lord Ellenborough's seat in the cabinet, and the Hants' Election petition. This motley administration, however, was not of long duration, for it continued only during a year, a week, and a day, at the expiration of which period, the subject of the present memoir obtained a seat in the cabinet, and the office of Chancellor of the Exchequer.

The part which he and his colleagues had to act, was however difficult in the extreme. Their adversaries had been removed by the special interposition of the King, on account of a bill, the express purport of which was the extension of certain franchises to the Roman Catholics of Ireland, a body of men constituting a very large majority of the inhabitants of that portion of the empire, and who, for very obvious reasons, ought, in the then state of public affairs, to have been treated with liberality and kindness. Another bill, for the extension of the rights of juries, in civil cases, to Scotland, was also in its passage through both Houses of Parliament; while Mr. Windham's act, by which soldiers, after a certain number of years' service, were restored to the rights and the rank of citizens, contributed not a little to conciliate the English nation.

To alter, amend, or subvert all these plans, a new parliament became necessary, and the cry of "No popery," was made to reverberate from one end of the empire to the other. On this occasion, Mr. Perceval's address* to his constituents was re-echoed by the loyal corporation of Northampton, the members of which appeared as warm in their zeal against popery in the days of George III. as their forefathers had been in the reign of Elizabeth.

Notwithstanding a formidable meeting on the part of the opposition, at which Lord Cholmondeley presided, on the convocation of the new parliament, a large and decided majority appeared in favour of the new ministers. The attack on, and capture of Copenhagen, together with the Danish fleet, appeared to be a very equivocal measure, which could only be justified by evident and palpable necessity. On this ground, therefore, it was attempted to be supported by the subject of the present memoir, who, after alluding to the "collusion of one of the northern powers," asserted, "that ministers were apprized of the intention of Bonaparte to compel the fleets of Europe, and particularly that of Denmark, into hostility against England."

"This was the information which they received about the time the treaty of Tilsit had been agreed to by Russia and France; but the information was obtained under such circumstances, and

* He observed, "that he was called upon to give up his profession, to make a stand for the religious establishment of the country."

from such persons, as made it impossible for government to disclose either. Ministers did not say that they were in possession of any of the secret articles of the treaty of Tilsit, they only said that his Majesty's ministers were not unaware of the nature of the secret engagements of the treaty of Tilsit. This, of course, referred to Russia, who was a party, and not to Denmark, who had no connection with it. The House would also observe the difference between knowing the nature of the articles, and possessing the articles themselves.

"Ministers had also said, that they were apprised of the intention of Bonaparte to force the powers of Europe into a confederacy against us: now, if this could, even by possibility, take place, (and that it might could not be denied) this being the case, the House must therefore come to the fact under these circumstances; it must be taken thus or not at all; for he, as a man of honour, could not reveal the secret or the informant.

"The right honourable gentleman then proceeded to take a view of the general conduct of the government of France towards neutral powers, and thence argued, that Denmark must inevitably fall under his despotism, and become instrumental in his hands to the ruin of Great Britain."

Soon after the present administration came into power, an event occurred, which while it seemed to promise stability to their councils, opened a joyous prospect for the success of England and the liberation of Europe. We of course allude to the gallant conduct of the Spaniards, whose minds, unsubdued by the intolerable despotism and degrading imbecility of a succession of their native kings, spurned at the still more intolerable bondage of a foreign yoke, and immediately betook themselves to arms. The succour afforded by this country, and the generous sympathy of individuals of all descriptions, has reflected great credit both

on the people and the administration. Portugal too has been rescued from the fangs of Bonaparte; the battle of Vimiera, like that of Maida, has proved that our armies retain their ancient valour, and nothing but the capitulation of Cintra could have damped the general joy. But as this subject is still under consideration, we of course forbear to enter into particulars.

Although Mr. Perceval is only Chancellor of the Exchequer, and it is a well known fact that the union of this office with that of the first Commissioner of the Treasury, constitutes the * *Premiership*, yet as he appears to take the lead in the House of Commons, he may in some measure be considered, if not the *titular*, yet as the *efficient* minister there. It is in this point of view that we shall present the speech delivered June 26, 1807, on the motion for an address to the throne, more especially as it consists chiefly of reply, and therefore affords a good specimen of his talents. He followed Lord Howick, since become Earl Grey by the demise of his father, on this occasion, and is reported to have spoken as follows:

“ The noble lord’s profession of what he means to do for the future seems, I must say, very singularly to square with his practice this evening. The noble lord disclaims the design of systematic opposition to those who are at present honoured with his Ma-

* The author of this article is aware, that the office of *prime minister* is unknown to the constitution, yet it existed in fact in the persons of Lord North, during the American war, and of Mr. Pitt, during the past and present contests with France.

jesty's confidence, and promises, although their political opponent, to support such measures as they may propose, if entitled to his approbation; but really, sir, judging from the spirit of the noble lord's speech, ministers would be extremely sanguine indeed if they flattered themselves with the idea of devising a measure likely to meet with any such support.

"Passing, however, from the noble lord's professions, upon which I do not think necessary to dwell, I shall proceed to call the attention of the House to those arguments, upon the force of which he appeared so very confidently to rely. First then, as to the authority of Lord Somers, which the noble lord quoted, in order to make a singular use of the quotation indeed. He denies the effect of the quotation; but yet endeavours to engraft an opinion upon it favourable to his own purpose, namely, that his Majesty cannot dissolve Parliament of himself, without the intervention of some responsible adviser. This opinion, however, I maintain, is not borne out, or even countenanced, by the authority of Lord Somers, or by the principle of the constitution.

"Unquestionably I will admit, that the measure of a dissolution is to be judged of like any other exercise of the prerogative, by the circumstances attending it; and by the circumstances under which the last Parliament was dissolved do I wish it to be judged. Compared to the case of the former dissolution, recommended by the noble lord and his colleagues, I have no difficulty in stating, that the last presented infinitely stronger grounds of justification. The last was a case of such a nature as rendered it an obvious and important duty on the part of the ministers of the crown to advise a dissolution of Parliament. I was of that opinion, and upon that opinion I acted. Entertaining such an idea, as to the expediency of the measure, it became the duty of ministers to look out for such an occasion to carry it into effect as should be least productive of injury to individuals, or any material inconvenience to the public business. That such an occasion was selected I am ready to contend.

"One of the reasons assigned by the noble lord why Parliament should not be dissolved was this, that it had been recently elected. Now this circumstance does, in my mind, form rather a ground

for justification than an argument for censure. This point, however, the noble lord had perhaps but cursorily considered, and that which followed seemed still less worthy of his consideration. In contrasting the former and the late dissolution, the noble lord asserted the importance of that in which he was concerned, by asserting the necessity, in order to attach confidence to the conduct and character of ministers, particularly on the continent, to shew from the result of a dissolution, that the people, Parliament, and administration, were unanimous. But, did any proof of such an unanimity appear to be necessary at the time?

“ With the exception of the iron tax, the ministers who recommended the dissolution, did not experience any serious opposition; and on every other decision that took place, they were more than two to one above their opponents. They met with no material impediment or obstruction in the conduct of government, and yet in such a case the noble lord and his friends advised a dissolution of Parliament. But although the noble lord in such circumstances took such a mode of proceeding, he saw nothing at all in the last Parliament which rendered a dissolution necessary—nothing in the nature of the subjects which agitated Parliament and the country—nothing in the propriety of producing such a concurrence between Parliament and his Majesty’s government, as must be essential to inspire that confidence on the continent which was so much desired by the noble lord and his friends; nothing in the necessity of bringing forward such measures as are indispensable to give stability to government and permanency to councils; nothing in the known and probable difference of the members of the last Parliament on certain great questions; nothing in the division which prevailed upon a particular topic between the sovereign and his late Ministers, which division, in my mind, peculiarly suggested the propriety of an appeal to the country.

“ The subject of this division of opinion, which the noble lord professed to consider as forming an additional objection to the dissolution, served in my judgment to strengthen and confirm the decision which ministers came to upon that measure, and was alone sufficient to justify it. I would ask whether these considerations were not of such a nature as to warrant the step which ministers

felt it advisable to take? But the noble lord states, that ministers ought to have taken such considerations into account before they accepted office, and that if they calculated on meeting a hostile feeling against them in that Parliament, they might have declined office. To this opinion, however, as a general principle, I never can subscribe; but even were Parliament decidedly favourable towards us, did not reasons present themselves to the mind of every dispassionate man, which forcibly urged us to advise the late appeal to the sense of the people? I would refer to the speech from the throne at the close of the last Parliament, for a detail of these reasons. What, I would beg gentlemen to recollect, was the situation in which the King stood? Did he not appear as the sole obstacle to a measure which proposed concessions to a certain proportion of his people? Did he not appear as a barrier in the way of those concessions? And in such circumstances, was it not necessary to the honour and character of the Sovereign, to shew that it was not his Majesty's Will alone that the measure I refer to should be resisted, but that such was the general sentiment of the country? On that ground we should have determined on the dissolution, and for the propriety of the moment we chose for carrying it into effect, I will appeal to the candour of the House.

"The catholic question, and a certain other measure, if a measure it could be called, which had for its object the forcing back of the late ministers into power, in opposition to the authority of the crown, had been just discussed. And I would ask any man in his senses, whether that was not the precise period to choose, for the reasons I have already stated, and particularly when the immediate purpose of the dissolution was to ascertain the sentiment of the people upon the nature and object of those measures? After the questions to which the appeal referred had been so recently agitated, was not that, I would repeat, the proper moment at which the mind of the country was most likely to be fully informed as to their best effect? Now as to the inconveniences which are alleged to have arisen out of the dissolution, I am prepared to contend, that all inconveniencies being relatively considered, no material inconvenience has been produced to be at all regarded in proportion to the main object which

the dissolution had in view. The first inconvenience that seems to be dwelt upon by the opponents of administration, is that which resulted to private suitors in Parliament. Undoubtedly no one can imagine a period in any sessions at which a dissolution can take place without being productive of a certain degree of inconvenience, and such inconvenience must always be matter of regret. But I do not find that in this instance the inconvenience will be by any means so material as the noble lord appears to think. Indeed, with the consideration which belongs to this House, with the disposition manifested by the noble lord himself, there is every reason to apprehend that the inconvenience I allude to will be comparatively light. As to fees, from the known liberality of the officers of this House, these suitors must be safe from any aggravation on that score. Indeed, from the only grounds of complaint as to the expence and delay, I am not without hopes that every practicable relief will be administered. With that view, it is my intention to bring forward a proposition on Monday—the object of which will be, that the proceedings had relative to a private petition before any committee of the last Parliament, shall be referred to such a new committee as may be appointed upon the same subject—not, of course, meaning that such proceedings should bind the judgment of the new committee, but in order to furnish such information as may serve to accelerate the progress of their inquiries, and, relieve the parties from the expence consequent upon the further attendance of witnesses. Thus it is expected that the evils, both of delay and expence, apprehended by private petitioners in consequence of the dissolution, will be in a great measure obviated.

“Now as to the injury accruing to the public business, the noble lord has prominently dwelt upon a certain point, in which he happens to be radically mistaken, I mean that point with regard to which he has so often referred to the conduct of his Majesty's ministers in 1784; namely, the issue of money from the exchequer without any legal appropriation, which he apprehends to have taken place since the dissolution of Parliament; but the noble lord's apprehension is unfounded. For it is with some satisfaction I have to state, that the public expence during the recess alluded

to, has been defrayed by money appropriated by certain acts of the last session of the Parliament. [I know what you mean, observed Lord H. across the table, but you are wrong.] I know what I mean, resumed Mr. Perceval, and I know that I am right. Let the noble lord look at the English and Irish loan acts, and also to the additional brandy tax act, and he will find in each a distinct clause of appropriations, which of course fully legalizes the conduct which the noble lord seems to consider as culpable.

“ But with regard to the general principle for which the noble lord contends, upon the subject of not applying any public money until the appropriation act be passed, as far as silence can be conceived to constitute authority, I have a very high authority indeed, to which the noble lord would not be disinclined to defer, to quote against his principle. For although the House of Commons came to a resolution previous to the dissolution of 1784, that to apply any part of the public money, not distinctly appropriated by Parliament, would be a violation of the law, still such applications did subsequently take place, and accounts of the sums so applied were called for by the opposition of that day, and laid before Parliament. But yet Mr. Fox did not feel that there existed any ground for a motion upon the subject. Certainly no motion was made, and the declining to move, particularly considering the temper of those times, made much against the noble lord's proposition. The noble lord too, at the head of the late administration, could not suppose such appropriation as was complained of by the noble lord on the other side, as furnishing matter of censure, for that noble lord was cognizant of the transaction I allude to in 1784, and never expressed any disapprobation of it. But it is unnecessary to my purpose to dwell upon those points; for we have in this case specific acts of Parliament legalizing the conduct we have pursued. Under the authority of those statutes we have acted, and if this authority be questioned, I would ask for what purpose could the separate clause of appropriation have been introduced into each, unless with a view to mislead those who act upon them? But such a supposition would be absurd. It may be asked, if my view of the question be correct, what is the use of general appropriation Acts at the end of each

session; but the answer to such a question will be found in the preamble of such acts. It is known that there are many acts relative to the public money passed in the course of a session in which no clause of appropriation is inserted; and the general appropriation act provides for such cases, as the words of the preamble are, "for providing for the *further* application of the public money," which words, combined with the act I have mentioned sustain the argument I have offered in favour of that part of our conduct since the dissolution, which the noble lord conceived to furnish matter of censure.

"The next part of the noble lord's objection to the dissolution, upon public grounds, refers to the committee of finance. But surely no man who reviews the King's Speech at the close of the last parliament, or who looks at the speech which the House has heard this day, can find an apology to doubt the determination of ministers that the committee should be revived. The noble lord, however, professes an apprehension that the proposed committee may not act upon the proceedings of the last committee, but it is intended that those proceedings shall be referred to them for their use and consideration. As to the hope expressed by the noble lord relative to the construction of the new committee, the House will observe, that the noble lord wishes that there should be no new names added to it, with the exception, however, of the only two members, who were understood to be friendly to the present administration ["Only one person," remarked Lord Howick across the table—this person we understood to be Sir Henry Mildmay]—I understood resumed Mr. Perceval, that the noble lord alluded to two members, namely, a Right Honourable Friend of mine on the bench besides me, and another person (Sir Henry Mildmay.) This mode of arranging the new committee must appear to the House, and the country, to be the more extraordinary, when the manner in which the former committee was constructed is taken into consideration. It will be recollected that the noble lord over the way (Lord H. Petty) manifested a very eager solicitude to relieve the Hon. Gentleman (Mr. Biddulph) by whom that committee was originally proposed, from the trouble of naming the members of which it should be composed. Indeed, the only member whom the

hon. gentleman attempted to propose was rejected, and some gentlemen must recollect upon what singular grounds. The committee was fixed by the noble lord at 21, from which number to be sure the noble lord was liberal enough not to exclude the original proposer. But such was the extraordinary attachment to number 21, that another member was not to be added, and thus the original proposer was relieved from the burthen of proposing any friend of his own, although the honourable gentleman, after seeing a little of the character of the committee, expressed a desire to have some person of views congenial to his own introduced among them. That desire, however, was not to be acceded to—Number 21 was to be tenaciously preserved. But yet, in a day or two after the original proposer's recommendation of one friend was rejected, upon the singular ground I have stated, three more members were added to the 21, upon the proposition of the noble lord. Recollecting these circumstances, and considering the whole of the case, would any man seriously expect that this new committee would be revived in the manner recommended by the noble mover of the amendment? There was another administration of government of which the new committee might find it expedient to take a slight review [a cry of hear! hear! on the ministerial benches.] If the noble lord were acquainted with the whole proceedings of the government of which he formed a part, he might be aware that such a review would be found necessary. Indeed there are a few cases, which any committee constituted for the purpose in view, would feel it impossible to overlook [renewed cries of hear! hear! from the ministerial benches.]

“ Another case mentioned by the noble lord, as a reason for finding fault with the dissolution, relates to the affairs of India, and upon that subject he states that it was the intention of the late ministers to propose an useful expedient in the late session, which they meant to follow up in the succeeding session, by a proposition, fully to investigate the state of our Indian affairs. Now I would ask, whether such temporary expedient may not be proposed in the present session, and followed up by that

proposition—for example, of inquiring into the recent sessions which gentlemen profess to desire. The temporary expedient cannot be materially interfered with by the short interval that has elapsed since the dissolution, and the promised proposition of inquiry cannot be at all affected by that proceeding.

“Among the enumeration of charges against the present ministers, which the noble lord has laid before the House, and which are each, it seems, on the score of their illegality, to be made the subject of parliamentary discussion, there is one act of those ministers which the noble lord has omitted, and which is certainly illegal. But I will supply the noble lord's omission; and I feel it right to take the earliest opportunity of stating it, as I mean to bring forward a bill of indemnity upon the subject. The act I allude to is this:—The American treaty act happened to expire during the recess, and it being thought right, particularly pending the present negotiations with that country, that this act should not cease, we have ventured upon our responsibility to continue its provisions.

“With regard to the topic of the Irish revenue acts, the approaching expiration of which, and the impossibility of their revival in due time, threatened, in the noble lord's judgment, to be productive of great inconvenience, and all owing to the dissolution, I am happy to have it in my power to remove all apprehensions on this head. For without violating any of the established customs of the House of Parliament, these acts, which expire on Sunday se'nnight, may be re-enacted by the Tuesday. It is intended to bring in these bills to-night, and have each referred to a committee of the whole House—[“Unprecedented,” said some on the opposite side of the House.]—I deny that it is unprecedented (observed Mr. Perceval.) On the contrary, it is quite the same course as that pursued last session. By this course then these bills may, I repeat, be re-enacted by Tuesday or Wednesday at farthest. Therefore upon this topic, there is no ground to apprehend public inconvenience.

“Now as to the question which the noble lord puts to me with regard to the opinion which I hold, and have acted upon, in consequence of his proposition respecting the Catholics—The

noble lord calls the cry of "the church in danger" a base cry, a beastly cry, &c. and afterwards proceeds to ask me, whether it be my opinion, that any indulgences to the Catholics or Dissenters, would involve a violation of the coronation oath? To this question it is impossible to give a precise answer. But the fact is, that as to the question of the coronation oath, the whole must depend upon the manner in which any such propositions are viewed by the King himself. In that view he must be influenced of course by his own conscience, and not by the dictates of any counsellor's conscience or keeper whatever. Upon his Majesty this oath is a personal obligation which forms our great guarantee, and if he thinks any proposition contrary to his coronation oath, he would of course, by acceding to it, be guilty of a breach of that oath.

"The noble lord has thought proper to make many personal applications to my conduct, and particularly with regard to the Catholic question. He asks, why I did not in 1801 raise an outcry against Mr. Pitt, who had a larger measure in contemplation than that which the noble lord recently proposed? But to this I will answer by referring to a comparison of the course pursued by Mr. Pitt and the noble lord. Mr. Pitt retired from office, when he found his measures unattainable; he did not wait to be forced out of office, nor resort to any expedients to force out his successors; he did not attempt to bring his Majesty before Parliament; he did not attempt to criminate his Sovereign. I will not say that such crimination was the intent of the noble lord or his colleagues, but certainly such was the effect of their proceedings. The noble lord's object, no doubt, was solely to defend himself, but the effect unquestionably was to irritate the King. After dwelling farther upon the difference between the conduct of Mr. Pitt, and that of the late ministers, in order to justify himself for his silence in 1801, Mr. Perceval proceeded to shew that the church would have been in danger, had the late ministers been permitted to follow the course they had entered upon with respect to the Catholics. This he endeavoured to establish, by referring to the principles they avowed, and professed a resolution to act upon. Would they not, if in their power, have repealed the test act? (Yes, exclaimed a voice on the op-

position bench.) Then, said Mr. Perceval, those who regarded that act as essential to the safety of our church establishment, were correct and consistent in supposing the church in danger under the government of such misnisters. Therefore the cry of the church in danger was raised; and if it were a false cry, it never could have been productive of such effects as the noble Eord imagined, nor could it ever have been promoted by so insignificant an individual as himself. The right hon. gentleman asserted that the concessions proposed by the noble lord would have tended to risk the church establishment in Ireland, without producing the contentment among them for whom the concessions were intended, which the noble lord promised. As to the danger of religious dissensions, which some gentleman feared from the rejection of the noble lord's measure, he always thought such fear chimerical. His opinion was that the best mode of producing harmony and peace was, by at once rejecting at the out-set, and nothing had occurred to alter his opinion.

"The case of the act of 1804, so often referred to, the right hon. gentleman thought not at all analogous to the subject of the noble lord's proposition, for in that instance there was no design, implied or expressed, to appoint a Catholic to any of our high civil offices.—Nothing so monstrous in principle was ever avowed.

"The right honourable gentleman, advertng to the observation of the noble lord upon the appointment of 100 inspecting officers for election purposes, ridiculed the imputation, and retorted by referring to the conduct of the late administration in the nomination of 300 new surveyors of revenue, just previous to the dissolution of 1806. These surveyors were, to be sure, not appointed, because, previous to such appointment an act of Parliament was necessary, and that act not having taken place, most lamentable letters of apology had been written to several of those who received their promises just before a general election. As to the necessity of such officers, the right hon. gentleman admitted it, and that the appointments had been strongly recommended to the late board of treasury by the tax office, in order to enforce

the collection of the revenue; but the particular period chosen for complying with the recommendation was rather suspicious. After promising that no impediment should be thrown in the way of the new military system of the right honourable gentleman, he declared, that the paragraphs in the address, with regard to the events in the sea of Marmora, and in Egypt, had no view whatever to censure any person—which censure would at present be quite unfair, and concluded with expressing his resolution to oppose the amendment, for the adoption of which no grounds whatever appeared to him to have been laid.”

As a financier, it will be imagined by many, that the situation of Mr. Perceval is far more difficult and perplexing than as a cabinet minister. The immense sums required yearly for the pay and supply of our fleets and armies,—the support of the ordnance—the liquidation of the civil list—the expenditure of the public offices—and above all, for the interest of the national debt, requires constant sacrifices and perpetual calls on the people, so as not unfrequently to render the office of Chancellor of the Exchequer odious in the extreme.

This monster, which if we cannot contrive to keep down and stifle, will at length overcome us, has grown by insensible degrees to the size it has now obtained.

At the demise of Charles II. it consisted of a few trifling annuities; William III. who was rendered unpopular by the scheme, ventured to borrow the sum of about 16,000,000*l.* which was not equal to four months expenditure during the late war. It now requires an immense load of taxes to pay the very interest of 600,000,000*l.* But on the other hand, the scheme of the annual mil-

tion, suggested by Dr. Price. the doubling of the income tax, proposed and carried with a considerable degree of levity by Mr. Fox, added to the still encreasing duties on home consumption, have contributed not a little to render the situation of a national financier less perilous and less unpleasing.

It appears from the budget of 1808, that the total of the supplies for England amounted to 24,173,548*l.* of which Ireland was to pay 5,868,515*l.* and the surplus provided by loans and taxes, amounted to 100,2170*l.* In short no difficulty

SUPPLIES.

Navy	-	-	-	-	-	L17,436,047
Army	-	-	-	-	-	19,439,189
Ordnance	-	-	-	-	-	4,534,571
Miscellaneous	-	-	-	-	-	1,750,000
East India Company	-	-	-	-	-	1,000,000
Sweedish Subsidy	-	-	-	-	-	1,100,000
Vote of Credit	-	-	-	-	-	2,500,000

Total Joint Charge 48,319,807

SEPARATE CHARGES OF GREAT BRITAIN.

Deficiency of Malt, 1806	-	275,845	
Interest on Exchequer Bills, 1808		1,400,000	
Exchequer Bills, part of vote of Credit, 1807, not funded			4,024,009
5 per Cents, 1797, to be paid off		153,696	
			5,838,741

Total Supplies 54,173,548

Deduct Irish proportion of Supply and Civil List. 5,868,515

Total to be defrayed by Great Britain 48,305,033

1809-1810.

K K.

seems to exist now as heretofore, respecting either a failure in the revenue, or a want of resources ;

After thus recapitulating the various heads of supply, and of the ways and means for the year, the Chancellor of the Exchequer proceeded to state to the committee the terms on which he had contracted for the loan. The sum borrowed for England and Ireland was ten millions and a half, of which eight were for the service of this country. The whole sum was to be funded in the four per cents, and the contractors for every 100*l.* advanced to the public were to receive 181*l.* 3*s.* 6*d.* stock : so that the public paid for every 100*l.* capital 4*l.* 14*s.* 6*d.* interest. In consequence of the loan of ten millions and a half, there was a capital of debt created to the amount of 12,308,375*l.* from which, after deducting a proportion of two seventeenths for Ireland, making 2,954,375*l.* there would remain as a permanent burthen upon Great Britain, 9,454,300*l.* and as an annual charge for interest of 475,536*l.* In addition to this, in consequence of the measure of funding four millions of exchequer bills, there was a capital debt created of 4,239,215*l.* and an annual charge for interest, including the sinking fund and management of 253,247*l.* So that the sum to be provided for by taxes was—

For the interest of the loan	-	-	L475,536
For the interest of exchequer bills funded			253,247

Making a total of 728,783

For this annual charge he meant to provide in the following manner :

Short annuities fallen in	-	-	375,000
Annual saving on the management of the debt			65,000
Encrease upon the assessed taxes	-		123,200
Stamp duties	-	-	170,000

			730,000
Sum to be provided	-		728,783

Surplus provided	-	-	1,217
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loans are subscribed with the same eagerness as the proposals of joint-stock companies, and the income of the state appears to exhibit the same flourishing aspect and progressive melioration, as the estates of the great land owners.

As a minister of finance, it would be gross injustice to deny, that some of his plans have been attended with beneficial consequences, and of these we shall here mention two. In the first place, he has made a saving, trifling indeed of itself, as it amounts only to 65,000*l.* per annum, in the management of the public debt; but this is likely to be productive of further good consequences. In the next place, by enabling holders of stock in the three per cents, above thirty-five years of age, to purchase annuities during their own lives, certain classes of the community, will not only be greatly benefited, but redemption of stock to a great amount will be thus attained for the public.*

* This scheme can be conscientiously adopted by old bachelors, and old maids alone, and even they must be peculiarly situate, before they can deprive their relatives of all benefit from their estates. We shall here give an outline of the "new plan of finance," in the minister's own words:

"The Chancellor of the Exchequer, on May 13, 1808, rose, pursuant to notice, to submit certain resolutions to the committee, the object of which would be to permit the holders of three per cents stock, to transfer this stock to the commissioners entrusted with the management of the fund for paying off the national debt, for the purpose of procuring annuities proportioned to the quantity of stock transferred. Though the subject was one of certainly very great importance, he hoped that the committee

Nor ought it to be omitted in this place, that both this gentleman and Mr. Canning, are entitled to

would coincide with him in thinking, that this was not the proper stage for its discussion, more especially as it was not his intention to call upon the committee to pronounce any opinion upon the measure which he had in view. All that he meant now, was merely to submit a series of resolutions to the committee, after having stated as shortly as possible the grounds on which these resolutions were proposed; and when he had proceeded thus far, he should move that the chairman should report progress with a view to allow sufficient time for the resolutions to be printed, and attentively considered by the members of the House, before they came under public discussion, which he thought might take place probably about Thursday next week. In setting out, he wished particularly to guard against any misapprehension or pre-conceived notion, that it was his intention to break in upon or in any way to interfere with the operation of the sinking fund. He declared that he had no idea, either directly or indirectly, to divert this fund from its natural and proper object, the redemption of the national debt; and having premised this observation, he proceeded, first, to explain the nature of the propositions which he meant to submit to the committee, after which he should state the reasons why it appeared to him desirable that they should be adopted and acted upon. The purport of these propositions would be to enable persons possessed of three per cent. consolidated or reduced stock, to transfer such stock to the commissioners intrusted with the management of the fund, applicable to the redemption of the national debt, in consideration of receiving on such transfer, annuities proportioned in value to the quantity of the stock transferred, and the age of the persons to whom the annuities were given. He did not mean that this permission should be extended to persons under the age of thirty-five, or to persons transferring less than 100*l.* capital. The former limitation was adopted with a view to prevent impositions, the latter to save trouble, which was as great upon a small as upon a large sum. He stated that the effect of this proceeding would be, not only to take out of the market the

public approbation, in respect to their conduct, so far as concerns the abolition of the slave trade. On

stock which was made the subject of communication, but to secure the redemption of this stock at the price of the day on which the transfer was made. It was well known that the operation of the sinking fund had contributed very much to increase the price of stock; and he had no doubt that its influence would continue to be felt in raising still higher the price of the funds. If the committee agreed with him in this opinion, it would not be denied, that could a measure be devised, consistently with the maintenance of the national faith towards the public creditor, to redeem the whole of the debt at the present price of the funds, it would be extremely desirable to carry such a measure into effect, because such a proceeding would prevent any future rise in the funds from retarding the operation of the sinking fund. The sinking fund had two different objects, the one of which was the redemption of the public debt, the other keeping up the price of stock. These two objects were manifestly, in some degree, inconsistent with each other. When the funds were high, the public borrowed on advantageous terms; but the progress in the reduction of the debt was proportionably retarded, and, *vice versa*, when stocks were low, the operation of the sinking fund was accelerated, while loans were made on terms less advantageous. The present measure combined the two advantages of tending to increase the price of stock, and of securing the redemption of the stock antecedent to its rise. The proposition was so obvious, that he did not conceive it needed explanation; but to render it, if possible, more plain, he put the case of a person making a transfer of stock, in consideration of which transfer he was to receive an annuity equal to double the present interest. The value of this annuity was calculated with compound interest, and a view to the probable age of the person to whom it was granted, so that the additional interest should redeem the original sum. For instance, supposing a man possessed of 1000*l.* three per cent. stock made a transfer of this stock to the public, and that instead of 30*l.* he should be paid 60*l.* in consideration for this transfer, the additional 30*l.* would

that occasion, they stood aloof from their colleagues and their adherents, and declared themselves most

not only, on the principles of fair calculation, redeem the 1000*l.* at the present price of the funds, but the rise which may in future take place in the funds above their present price. He admitted that the whole merit of the plan rested upon the probability of a rise in the price of the funds; for if the funds should fall, it would not only not be an advantageous proceeding for the public, but the public would absolutely be a loser by it. The point, therefore which particularly called for the consideration of the committee, in order that they might pass a wise decision upon the plan was, whether it was probable that the funds should continue progressively to rise. If they could form any inference respecting what was to take place, from what had already happened, there could be little doubt this would be the case. Since the last loan was contracted for, the funds had risen above six per cent. on every hundred pounds stock, which was equal to a rise of from nine to ten per cent. upon every hundred pounds of real capital. Had the measure now in contemplation, therefore, been adopted last year, the redemption of stock created would have been received at 62. He did not pretend to say, that the funds might be expected to continue to rise as progressively as they had done in the course of the last twenty months; but he had no hesitation in delivering as his opinion, that they might be expected still to rise above the present price, in event either of the re-establishment of peace or of the continuance of war. The return of the blessings of peace always tended to produce this effect, because it being no longer necessary to add to the public debt by contracting for new loans, the operation of the sinking fund was no longer impeded or counteracted by the contrary process of borrowing. Accordingly, the effect of the last peace was to raise stocks from 59 to 77, though the amount of the sinking fund was then only 5,800,000*l.* being only 1-82nd part of the debt, which at that time amounted to 478 millions; whereas now the debt was only 586 millions, and the sinking fund no less than ten millions, being a 58th instead of an 82nd part of

fully and unequivocally against that inhuman traffic. In addition to this, the subject of the present

the capital of the debt. The presumption, therefore, was, that in the case of a return of peace, the funds would rise still more considerably than they did at the termination of the last war, when the sinking fund bore a smaller proportion to the amount of the debt than it does at present. Supposing, on the other hand, the war to continue, there was no reason to fear that the influence of the sinking fund, which had been so advantageously felt in the course of the last year, would cease to produce, if not equal effect, at least the same sort of effect, in an inferior degree, in the succeeding years. The plan therefore, which it was now his object to introduce, would recommend itself to the committee by its tendency to aid the redemption of the debt. With respect to the probability of its being efficient, he could not entertain any apprehensions upon this score, when he considered the number of persons in this country who were desirous of purchasing annuities, and who would be extremely happy to add to their incomes without risking their property. Such persons would receive under this plan, besides the most ample and satisfactory security that they could wish for, more advantageous terms than they could obtain in any other way, because the public not wishing to derive any profit upon the sale of the annuities would grant the most favourable terms possible to the purchaser. There was only one other point which he had omitted to mention in its proper place; namely, that no transfers were to be permitted, should the three per cents rise to eighty. Having thus stated the outline of his plan, Mr. Perceval concluded with moving his first resolution, of which the following was the purport:

“That it appears desirable, for the purpose of aiding the more speedy redemption of the national debt, to enable the holders of the three per cent. consolidated and reduced stock, by a transfer of this stock to the commissioners for paying off the national debt, to purchase annuities in the names of one or two persons, not under thirty-five years of age, provided that the transfer is not below the value of 100*l*.”

memoir is a subscriber to, as well as an active member of, the society for the "civilisation of Africa," thus, if possible, repaying these unhappy barbarians, by the introduction of a fair and legitimate intercourse, for some of the many wrongs "civilized Europe" has inflicted upon them for upwards of a century.

As a member of, and a zealous advocate for, the established church, the Chancellor of the Exchequer lately (April 13, 1808,) brought in a bill, to increase the salary of a very respectable but hard-fated class of men; the resident stipendiary curates. As he himself had been ever strenuous in opposition to "innovations" of all sorts, he was eager of course to represent this merely as "a revival and regulation of actual and existing principles," and recognised by the acts of Henry VIII., Anne, and George II. concerning curates. To enable them to support the "importance and respectability of their character," he proposed, that where the income of the incumbent would allow it and that it did not exceed one fifth of the revenues of the rectory, the salary should be extended to 250*l. per annum.*" On this occasion, the Chancellor of the Exchequer was supported by a class of men, who have been termed the "Saints," but opposed and defeated by another party, which we should here call "Sinners," were not some of his Majesty's cabinet ministers supposed to be among them.

In respect to his morals, Mr. Perceval is exemplary, and in his private conduct generous. Of

this we can adduce two instances, or as the gentlemen of his former profession would say, "two cases in point." In the first place, having voted at college in direct opposition to a forgotten promise, and the person in question losing his election, by an *unity*, Mr. Perceval, on being reminded of his pledge, enquired the amount of the salary, and presented the unsuccessful candidate with a sum of money, amounting to a complete indemnification. The second fact that has come to our knowledge, is the interposition of the subject of this memoir, in behalf of a professional man of some celebrity, almost a stranger to him, to whom in the *moment of necessity*, he presented a sum of money by way of loan, but under the express condition, that it should not be repaid "until it suited the convenience of the borrower."

On relinquishing his situation at the bar, Mr. Perceval was offered the office of Chancellor of the Duchy of Lancaster for *life*,* by way of compensation for the loss of his professional emoluments. But the patent, which is said to have been actually making out, was intercepted in its progress through the proper offices by an address from the House of Commons, and that part was accordingly modified

* Mr. Perceval as Chancellor and Under Treasurer			
of the Exchequer, possess about	-	-	2500 0
Chancellor of the Duchy of Lancaster	-	-	2500 0
Clerk of the Irons and Surveyor of Meltings, Salary			
(Perquisites, if any, not known)	-	-	132 10

in the usual manner.* From his several offices he is said to derive about five thousand pounds of the public money, and it has been stated by way of reproach, that the emoluments of his relatives are excessive. We believe, however, that the Grenvilles will be found to have far more than the Percevals; but as this is no argument for an intemperate love of wealth, on the part of either family, we most cordially wish that any and every unmerited pension or sinecure may be curtailed and cut down, so as to square with the necessities of the times. On the other hand, we will with equal readiness ingenuously confess, that the salaries of the great *efficient* public officers of the state, are not sufficiently liberal, and therefore, instead of being diminished, ought to be augmented, from motives of prudence and good policy.

As a man of business, Mr. Perceval is affable, quick, and ready either at starting or answering

* The King, in answer to an address from the House of Commons, delivered the following message to Lord George Thynne, Wednesday, April 8, 1807:

“ His Majesty assured the House of Commons, that he would take the substance of their address into his serious consideration, and that for the present, he had granted the office of Chancellor of the Duchy of Lancaster, only during his royal pleasure. His Majesty further assured the House of Commons, that in the exercise of the prerogative vested by the crown, for granting offices, as well for life as otherwise, and also in the exercise of every other branch of his royal prerogative, his Majesty would be regulated by an anxious regard for the public welfare and interests of his people.”

objections. As an orator, he is fluent, perspicuous, conclusive, and without possessing the good-natured humour of his predecessor Lord North, the argumentative decision of his rival Charles Fox, or the bold and commanding eloquence of his friend and precursor William Pitt, he yet finds means to engage, to wield, and to convince the House of Commons.

While a young man at the bar, he is said to have spoken of all those who differed with him in politics, with a certain degree of asperity, and at times to have treated the assertors of popular rights as "Jacobins." But the "heyday" of blood is over; a more mature age appears to have dulcified his expressions, and power is not perhaps to be retained by the same means with which it was acquired. It has unfortunately become a standing proverb in the House of Commons, that "no practical lawyer" will ever make a great minister in England, and this was fairly put to the trial in the case of the late George Grenville. To become a statesman, perhaps it is proper for a man to forget that he ever was a barrister, and to be a celebrated or successful one, it is assuredly necessary at one time or another, to aim at and to obtain the love and confidence of the people!

As for a mere Chancellor of the Exchequer, the course is more limited and the track infinitely narrower. If this alone be Mr. Perceval's object, may he possess all the good qualities of Godolphin, one of the most illustrious of his predecessors, without

any of his vices. It is to that nobleman, who detested flattery and refused the garter, that the nation during the reigns of King William and Queen Anne, was indebted for the order and regularity of the public revenues. It was he who introduced the present comparatively low interest of money. It was he, who although the favourite of four successive sovereigns, never once sacrificed the interest of the people. It was he, who notwithstanding he had been a lord of the treasury during thirty years, and nine of these at the head of it, died worth no more than 4000*l. per annum*. Nor ought it to be omitted, that incorruptible himself, he prohibited the speculations of those about him, and could be reproached with but two faults, the one, that he was rather lax in his political principles, which he rendered subservient to his ambition; and the other, that his immoderate love of gaming was thinly disguised, under pretext of a dislike to conversation.

MR. STURT,

LATE M.P. FOR BRIDPORT, AND NOW A PRISONER IN
-FRANCE.

"RES EST SACRA MISER."

THIS gentleman has experienced a variety of fortunes, and were the "many-coloured hues" of his life but faithfully and ably depicted, it would afford the subject of a most entertaining, as well as instructive, volume. His character exhibits a scene

of life, which has something of gallantry and romance about it, while the sudden transition from a senate to a prison, and from all the comforts of society to a dungeon, is calculated to excite a sigh in the most obdurate hearts, and even to call forth compassion from the bosom of a personal enemy.

Mr. Sturt was born in the year 1760 or 1761. His family has long been eminent in the county of Dorset, and his father the late Humphry Sturt, of Horton and Critchill-house, served as knight of the shire with one of the family of * Pitt, as his colleague, during the 11, 12, 13, 14, and 15th parliaments of Great Britain. He was also a very active magistrate, and as such paid great attention to the business of the quarter sessions, at which he was a constant attendant. His wife, who attained a good old age, and died but lately, on the other hand we believe was rather addicted to pleasure and cards; and if we are not greatly mistaken, her Saturday night-routs in St. James's-square, some years since, were thought to be aimed at, in a threatening charge by the late Lord Kenyon.

It somehow happened that Charles, although a younger son, became the heir to the estates. The particular cause that superinduced this unusual instance of paternal displeasure is unknown to us, but

* Mr. George Pitt was the other M. P. for this county, until created Lord Rivers of Strathfieldsea, in the county of Southampton, May 14, 1778, when he was succeeded by his eldest son in the representation.

it was not without example in the same county, and in his own immediate neighbourhood, for Mr. Portman nearly at the same time exhibited a similar instance of rigour in respect to his eldest son. Be this as it may, Charles was educated at Poole, in the vicinity of the paternal mansion, and had for one of his school-fellows, Mr. Stephen of Serjeant's Inn, a barrister at law, and a M. P. in the present House of Commons.

Whether it was from the natural volatility of his temper, the proximity to the sea, or a concurrence of these and other causes, we know not, but certain it is, that at an early period of life he evinced a resolute determination for the naval service. The risks, difficulties, and inconveniencies attendant on this kind of life, are generally reserved for such children, as having nothing on land, are obliged to *look to the water* for subsistence. We can easily figure to ourselves, therefore, the usual demurs, objections and delays, but these were all surmounted at last, and Charles with a blue coat, adorned with a bit of white cloth on the collar, and provided with a fierce cocked hat, uniform dagger, &c. soon made his appearance on the quarter-deck of a man-of-war.

It was his fate to be placed on board the flag-ship, commanded by Admiral Digby, and his good or bad fortune to have Prince William Henry, now Duke of Clarence, and Admiral of the Red, for his mess-mate. Whether it was some point of duty; some real or only supposed instance of arrogance, we

know not, but certainly a dispute took place between the young 'squire and the young Prince, and the son of a Dorsetshire magistrate, determined with true English spirit, not to yield to the son of a King, challenged his Royal Highness to a pitched battle. The fight was accordingly decided below, in the cockpit of the Prince George; and Jupiter, after long poising the scales of fate, and weighing the merits of the respective combatants, being no respecter of persons, at last leaned towards Sturt, who was proclaimed triumphant, and we hope and trust that this adventure, in which two angry boys contended at *fisty cuffs*, was attended with still greater advantage to the vanquished than the victor.

How long young Sturt remained in the navy we know not, but we are certain that he never attained a higher rank than that of lieutenant. Other hopes sprung up, and other scenes awaited him, for in 1784, we find him returned M. P. for Bridport, to the 18th parliament of Great Britain, and he was re-elected in 1790, without any opposition, but in 1796, Mr. Thomas Burgess,* who had been a

* Mr. B. was brother-in-law to the late Serjeant Watson, who having been originally a sectarian minister, was brought in on the interest of the dissenters. On his acceptance of the Chief Justiceship of India, he recommended his relative Mr. B. and at the conclusion of the poll, the numbers were declared by the Returning Officer to be as follows :

Mr. Barclay	-	136
--- Sturt	-	119
--- Burgess	-	100

candidate, petitioned against the return, on grounds that appear odd to us, viz. "that he was not possessed of estate sufficient to entitle him to a seat in parliament." The merits were ordered to be taken into consideration on the 9th of Feb. 1797, but the latter dying in the interim, the "order of the day" was discharged.

In 1801, when the first Imperial Parliament was convoked, we again find him and Mr. Barclay re-elected, and immediately after the meeting of the House of Commons (Feb. 19), the former moved an enquiry into the Ferrol expedition. He commenced his speech,

"By assuring the House he brought his motion forward not from enmity to any individual, but from a sense of duty he owed to his country. He then entered into a detailed account of the circumstances of the expedition, stated the force as fully efficient, the commanders as men of high character and approved bravery; the town of Ferrol, the object of conquest, as weak and defenceless, and such as must have given way before a British force, had it been attempted. With the town, the arsenal, stores, and Spanish marine, together with the merchantmen, would have fallen at once into our hands, but through some fatal miscarriage, which here attached blame somewhere, the whole of this army was not only compelled to re-embark, but even may be said to be discomfited and disgraced. He endeavoured to maintain the practicability of this attempt, and the assured success, on the opinions given by an able engineer, and also of officers in the navy and army, high in respectability. These letters he read, which were written under a strong impression that Ferrol could be taken, had the enterprise been pushed on with the usual spirit and vigour of our troops.—He then moved for a Committee of Enquiry."

Mr. Sturt was followed by Sir James M. Pulteney, Bart. now Secretary at War, who had commanded

the expedition, and this officer in a long explanatory speech, detailed the whole of the transaction, from the first landing of the troops to his final embarkation. The General concluded, by declaring himself ready to meet any enquiry.

After a long debate, Mr. Pitt, who always deprecated this mode, as usual declared himself averse to all retrospection, under pretence, "that the nature of the business, consisting of military topics and details, should be referred to military men, who were only adequate to judge of it." This doctrine, which amounted to the total exclusion of all parliamentary intervention, was acquiesced in, and accordingly, on a division, there were 75 for, and 149 against the question.

During the remainder of that parliament, as well as in the preceding ones, Mr. Sturt steadily supported the opposition. Indeed he had generally voted with the minority, from the first moment he entered St. Stephen's Chapel, having been a decided enemy to the contest with France, and all the measures connected with that event.

The original profession of Mr. Sturt, as well as his dereliction of it, has already been alluded to; but although he did not follow up his naval career, so as to attain the rank of Post Captain, yet he ever professed and continually evinced a strong attachment to that element, on which he had spent the earliest and happiest hours of his life. His residence at Brownsea Castle, in the county of Dorset, afforded him an opportunity to gratify his warmest

1809-1810.

L L

wishes, and he accordingly bought and navigated a pleasure boat, in which, during the summer months, he made frequent excursions. On the 2d of Feb. 1799, during a hard gale of wind, a vessel was driven on shore at Poole, and there being no *life boat*, and no assistance of any kind to be had, the crew was in the most imminent danger of perishing. At this critical moment, regardless of his own preservation, and only thinking of the unhappy situation of the poor wretches who were liable to be washed away by every succeeding wave, Mr. Sturt, who happened to be in the neighbourhood, went off in his own boat, and after a perilous but successful attempt, brought the master and men safe to land. The Romans were accustomed to decree a civic crown, for the preservation of the life of a single citizen, and the Humane Society, an institution which does honour to England, as a reward for his benevolent intrepidity, presented him with a gold medal, on which the following inscription was engraved :

CARLO STURT, ARMIGERO :

S. B.

OB VITIS EX FLUCTIBUS ERIPTIS,

1799.

It is not a little remarkable, that the subject of this article, within the short space of nineteen months, was himself rescued, and that too by the captain and crew of a merchantman, from a watery grave ! As his seat was in the vicinity of Weymouth, he was frequently accustomed during the residence of

the royal family there, to make aquatic excursions in company with them. On Saturday, Sept. 20, 1800, his Majesty with the Queen, &c. having repaired on board the Cambrian, the St. Fiorenzo and Syren immediately saluted the royal standard, and at ten the three frigates slipped their cables, and stood out to sea, on the *larboard tack*. On this a multitude of vessels as usual followed, among which was Mr. Sturt's pleasure-boat. The breeze being then exceedingly light, he was enabled to sail round the Cambrian.

At half past ten o'clock, having perceived Mr. Weld's cutter beating to windward, and being desirous of having a race with her, Mr. Sturt bore down, and soon perceived, that in the seaman's phrase, she "forereached" his vessel, chiefly owing, as he supposed, to his boat's being fastened astern; but as the sea now ran too high to attempt hoisting her in, he struck his topmast, and made all "snug."

About eleven o'clock, at the distance of two leagues from land, after the frigates had worn, and stood in for the bay, perceiving that the pleasure boat already mentioned had still the superiority, he proposed to one of his sailors to jump into the boat, and carry her to Weymouth, being assured that in this case he should at least have a fair trial with his rival. The man, however, being fully aware of the danger, first hesitated, and then refused; on this, turning around to the crew, their commander, who considered himself obliged to act up to the

utmost limits of the *point of honour*, addressed them as follows: "You my lads have surely known me long enough to be satisfied, I would not order any of you to do what I would not do myself. You are therefore to reef the sail, and ship the mast, and I will go myself." On this, snatching up the pocket compass, he jumped into the boat, and ordered his master to steer in search of Mr. Weld's vessel. We shall take the remainder of this singular and interesting narrative from his own recital:

"I hoisted my sail and steered N. N. E. to get clear of the Shambles; found a considerable sea running, but nothing but what the boat would weather with ease (for she never shipped a thimblefull of water till I came to the Shambles).

"A very strong ebb tide carried me to the westward, and on for the Shambles, which I wished to avoid; put before the wind, but being under a very low sail, could not stem the tide; dared not to quit the helm to let the reefs out of the sail, for fear of broaching to; the tide hawling me dead on the Shambles, where the sea was running tremendously high, breaking horribly, and no time to be lost.

"Sensible of my danger, convinced I could neither get to the eastward or the westward of them, I prepared to meet the danger, and to make my boat as lively as possible, threw overboard my ballast, which likewise would prevent her from sinking to the bottom; the dismal sound of the breakers I began to hear, and soon saw them right a-head: aware of my danger, and convinced my boat could not exist many minutes, and nothing but the interposition of Providence could save me, to divert my thoughts from the horrid ideas of death, I began singing the sea song, 'Cease, rude Boreas,' at the same time keeping the boat's quarter to the surf; as I was singing the second verse, a dreadful sea all foaming, took my boat on her larboard quarter, sheered a-weather my helm, she lost her steerage-way, broached to, upset, and overwhelmed me, the sea rolling over and over; recovering

from my alarm, without the smallest hope of escaping, I swam to my boat, which was laying on her broadside; with difficulty I got into her. and held her fast: I immediately pulled off my coat, waistcoat, shirt, and cravat; this I accomplished with difficulty, being wet.

After this I began to consider what could be done; no sail near me; about fifteen miles from the nearest land; a dreadful hollow broken sea, running in every direction, and frequently overwhelming me, gave me no hopes of saving my life. To surrender without a struggle I considered weak, and the thoughts of my wife and children, which at that period struck my mind very forcibly (I thought I saw them). Recollecting the difficulties I surmounted two years before, in saving some men from a wreck off my house, and knowing that they were saved from a situation as dreadful as my own by the assistance of Divine Providence, gave me resolution and fortitude to exert myself. I began to clear away the boat's masts and sails, which I accomplished at last, after being repeatedly washed off the boat.— When I had cleared the wreck, I got on the gunwale, and by my weight brought her to right; I got into her, but the violence of the swell coming on so repeatedly, washed me out again.

“The difficulty of regaining my boat against such seas quite exhausted me, and the salt water affected my eye sight so, that it was some time before I could recover my boat. Looking round for a sail, and perceiving none, and increasing my distance from land, I begin to think it a folly to struggle any longer for the miserable existence of a few hours, however, the love of life (and hopes of some vessel heaving in sight) got the better, and I resolved to use every possible means of preserving it, and to continue in the boat.

“Repeatedly washed off, and buried in the waves, I knew I could not survive much longer. I then recollected that fishermen, when caught in a gale, frequently let a spar or a mast, fastened to their boat's painter, go a-head, and the spar broke the force of the waves before they came to the boat. Having been by this time above two hours in the water, for I upset at twelve,

I felt myself much fatigued, and found that it was absolutely necessary I should try some scheme to relieve myself. I accordingly took my boat's painter, passed it over and under the after-thwart, or seat of the boat; in accomplishing this I was frequently buried under the waves for many seconds, and they following each other so repeatedly, my breath was nearly gone.

"At this period several gurnets (a large species of sea-gull) hovered close to me, and were so bold as to come within two feet of my head (I suppose they anticipated a good meal of me) however by hallooing pretty loud, I convinced them I was not yet dead; they took flight, and I saw no more of them.

"After they were gone, I tried how my scheme answered; when a heavy sea came, I got out of the boat and swam to leeward, holding by the boat's painter, which I had fastened to her broadside, which being to the sea and bottom upwards, the surf broke with force against her, and only a part came over me.

"By this means saving myself from many a heavy sea, my spirits kept up; but alas! when I could discover no sail in sight, the sea increasing, and it drawing towards evening, they began to flag: struggling through such difficulties, without the smallest prospect of being relieved, was but little encouragement for me to persevere, and being full three hours in the water, I was much weakened: about three o'clock I saw two sail near me, about a mile to leeward; no exertion of mine I knew could make them hear me, so made none: beating about for such a length of time, without the good fortune to see any sail approaching, gave me little hopes of saving my life, continually washed off my boat, and repeatedly obliged, to avoid the sea breaking, to quit my boat and swim to leeward, consequently diminishing my strength.

"About a quarter after four a brig came within half a mile, hailed her, stood as far out of the water as I could, moving my hands and using every possible means for her crew to see me; I succeeded; I saw her men go up the main shrouds, and the crew stand close together, but passed me without offering to lend me the smallest assistance; this, indeed, was enough for me to surrender a life

which was no longer supportable ; such inhumanity excited in me the strongest emotions of anger, but alas ! I had no means of redress ; I gave up all hopes of being saved.

“ Still further from the land, a gale of wind coming on, the tide carrying me on to Portland Race, I took a valuable diamond watch of my wife's out of my fob, tied it securely round the waistband of my trowsers, pulled them off, and tied them round the short of the boat ; when I had done this I made a running knot with the painter, intending to put it round me in my last moments, that as my boat, as the wind was, would be driven near my house, or Bridport, my watch and seal might lead to a discovery of who I was ; having done this I became quite indifferent ; death was no longer terrible, and as I saw no signs of being saved, I sat quietly on the boat patiently waiting for the next wave to put an end to my suffering.

“ Immersed two feet under water, tossed about sometimes in the boat, sometimes holding on her bottom, washed off, and losing her for several minutes ; I found that neither my recollection nor strength had failed me, for I always raised myself by treading the water to discover my boat, which, when I did, I swam up to : about half after four, experiencing a very hard struggle to recover the boat, I saw eight sail to windward, it was a long time before I discovered whether they were standing from me, or towards me ; I perceived they were standing towards me ; this gave me additional strength and spirits ; for the first time I saw a chance of saving my life, and that Providence still watched over me.

“ At five, three or four ships passed me without seeing me, or my being able to make them hear, the sea running high and breaking violently ; three more passed me close to windward, my voice being too feeble to be heard. I reserved my strength for the only two of the eight that had not passed me ; a brig came by, I hailed her, lifted up my hands, and fortunately I observed they saw me, for her men went up aloft to see what I was ; they then tacked and stood towards me, but did not hoist a boat out ; this alarmed me ; having been some hours before passed by one unfeeling wretch, I almost gave myself up to despair ; there was

only one more vessel to pass, it was nearly dark, a dismal sea, and within two miles of Portland Race; if this passed me all was over.

"I roused myself on this occasion, and hailed her, stood on the boat's bottom, was washed off, got on her again, and was again washed off; however, life was still desirable, as long as I saw a chance of being saved; after struggling again and again, I was discovered by some of the soldiers; I saw there was a bustle on board her, I saw men running up the rigging, and shortly after a boat let down; at that instant I was agitated, my firmness seemed to forsake me, for I burst into a flood of tears, and was seized with a violent retching from the quantity of salt water I had swallowed; as the boat approached I recovered: when she came near, the sea being very high, I desired them not to come broadside to, but stern on; I untied my trowsers and threw them into the boat, and endeavoured to spring in myself, but was unable; the crew pulled me in by the legs."

Notwithstanding the dangers and fatigues he had experienced, during the five hours and a half he had been exposed to the naked sea, Mr. Sturt, with his wonted skill and gallantry, steered the boat which had thus snatched him from inevitable destruction, together with its crew, through a heavy sea, and laid her along side. On getting on board the vessel, which was lying to for him, he found her to be the brig Middleton, Capt. Rankin, with Colonel Jackson, and a detachment of the 85th regiment of foot on board.

About eight o'clock they entered Portland Roads, and at nine Mr. Sturt went on shore. After dressing himself he repaired to the *esplanade*, and was congratulated by their Majesties, the Dukes of Kent and Cumberland, and all his friends, who imagined

that the little boat, to which he had entrusted himself had *gone down*; but indeed without this having occurred, his escape was in every point of view singular in the extreme; for not only was night fast approaching, but in half an hour more his destruction would have been inevitable, as his limbs were benumbed, while a violent pain in his side, a dizziness in his head, and an inclination to sleep, were the forerunners of that death, which in a few minutes more most certainly awaited him.

After taking the necessary refreshments, and recovering from his bruises, his weakness, and his agitation, the subject of this memoir, determined to testify his gratitude. He accordingly, on Tuesday, the 23d of September, repaired on board the brig, in company with Colonel Jackson, and distributed fifty guineas among the ship's crew. To Captain Rankin he presented ten guineas and a silver cup; while John Jones, John Dayley, James Napier, and John Woodman, the four men who had ventured in the boat, received five guineas each.

We lament to add that Mr. Sturt only recovered from this hair-breadth escape, to be exposed to still greater misfortunes. In the first place, all his political hopes and connexions were dissolved and cut off, in consequence of his exclusion from the borough of Bridport. In the next place, having brought an action for damages, on account of a supposed intrigue between the Marquis of B. and his wife, instead of receiving a verdict in his favour, as he and his friends expected, he was subjected to the

contumelious reproaches of the counsel of his antagonist, who, in consequence of a present of wine anterior to the discovery of the amour, is said to have termed this much-injured gentleman "a cold-hearted man, whose blood was composed of Madeira!"

Thirdly, as if to complete the climax, happening to be on the continent at the commencement of the present war, he was detained contrary to the general usage of all civilized nations, and with others of the English, transferred to Verdun.

But as if this were not sufficient to overwhelm him, being suspected as a naval officer, to have made some inquiries respecting the coasts and navy of France, he has been suddenly transferred to the fortress of *Bitche* in Alsace, confined in a dungeon, condemned to sleep on straw, and only permitted during one hour in the day to ascend the battlements, as if with a view, not to cheer, but to protract existence, by permitting just as much misery as the human mind can bear, without being driven to that state when either wretchedness entirely ceases in consequence of death, or becomes unfelt from the drangement of our intellects!

In 1788 Mr. Sturt became connected with the noble family of Shaftesbury, by a marriage with Mary Anne Ashley, by whom he has had four children: a son and three daughters.



Miles Peter Andrews Esq.



George Dempster Esq.

MR. M. P. ANDREWS,

M.P. FOR BEWDLEY IN WORCESTERSHIRE.

"DOYE, DIAVOLO! MESSER LUDOVICO, AVETE FIGLIATO TAN-
TO COGLIONERIE?"—CARD. D'ESTE TO ARIOSTO.

To be at times gay as well as grave, to laugh and moralise by turns, are not unworthy of a philosopher. Herpes cannot always be either described or contemplated, and while history occupies the hours spent in our closet, a lighter species of reading is more appropriate to the parlour or the anti-chamber. Horace himself, who was at once a man of letters and a fine gentleman, frankly owns that it is agreeable sometimes to trifle

(DULCE est desipere in loco.)

It is thus that a dull, grave, and almost *obsolete* man, ought to apologise, when he slumbers at the threshold of a theatre, or makes his awkward bow in the circles dedicated to fashion!

Mr. Miles Peter Andrews is the son of a respectable merchant in the city, and was himself originally destined for the counting house. It was with this view, perhaps, that he was educated abroad: having been sent early in life to Utrecht, whence it was intended that he should proceed to Aleppo; but this scheme was never realised. He therefore returned to the British capital, where instead of thumbing over the waste-book and the ledger in a foreign land, he became enraptured with the poets of ancient and modern days, and wooed the Muses with considerable success.

His father had cultivated an acquaintance with the dramatic writers and actors of a former day, a circumstance which not only obtained for young Mr. Andrews, his second son, the friendship of Garrick and Foot, but gave his own mind a bias perhaps towards theatrical compositions.

The first production of any length, attributed to his pen, was an afterpiece of two acts, brought out at Drury-lane, by the real *Roscus* of a former period, and favourably received. The "Election," a musical interlude, "Belphegor," "Summer Amusements," "Fire and Water," all of them Operas; "Dissipation," a comedy in five acts, "Better Late than Never," the "Mysteries of the Castle,"* the "Enchanted Castle," "Reparation," and the "Best Bidder," all appeared in succession, either at Drury-lane or the Haymarket. To these succeeded "The Baron," or "Knyvervanhatsderasprakingatchdern," founded on a popular tale with the same title, written by Lady Craven, now Margravine of Anspach.

* The following is the *cast* of the "Mysteries of the Castle," a new Dramatic Tale in three acts." It was performed for the first time at Covent Garden Theatre, on Saturday, Jan. 31, 1795, and we lament to behold what havoc death has since made among the ladies and gentlemen of the sock and buskin!

The scene includes the city of Messina, in various points of view, and part of the coast of Calabria. The characters are:

Fractioso, Mr. Quick; Carlos, Mr. Pope; Count Montoni, Mr. Harley; Hilario, Mr. Lewis; Bernardo, Mr. Macready; Montauban, Mr. Inledon; Valoury, Mr. Munden; Cloddy, Mr. Fawcett; Fisherman, Mr. Powell.—Julia, Miss Wallis; Constantia, Mrs. Mountain; Annette, Mrs. Mattocks.

So fertile was the imagination, and so various have been the labours of Mr. A. that he has produced every species of dramatic composition, from a regular comedy to a simple prologue, in the latter of which he is allowed to have displayed peculiar excellence. His friend Major Topham too, having at that period, not only a knack at, but a high reputation for writing epilogues, was accustomed to supply him with one to most of his plays, which generally produced a burst of laughter, and contributed not a little to send away the audience, well pleased both with themselves and their entertainment. He in return transmitted the poetry of "Arley" to the *World*, which tended to give celebrity to the paper of that name. A prologue to one of his plays, was also written by a very amiable literary Duke, who has been dead some years.*

* "PROLOGUE TO BETTER LATE THAN NEVER, a Comedy by Mr. Andrews, written by his Grace the late Duke of Leeds, and spoken by Mr. Bannister, jun.

"CUSTOM commands a Prologue to each Play;
 But custom hath not told us what to say:
 No form prescrib'd, 'tis difficult to find,
 How to conciliate the public mind.
 The bashful Bard—the modest Muse's fears,
 So long have jingled in your patient ears,
 That now, perhaps, you'll scarce vouchsafe to stay,
 To hear both their Apology—and Play.
 No! Better sure on him at once to call,
 With—"Sir, if frighten'd thus, why write at all?
 We're not reduc'd yet to a trembling pen!
 Zounds! Bards will crowd us soon, like—Gentlemen,"

Below is a specimen * of his own talents, being one of those light temporary poetical prefaces, which

Something like this, I heard a friend once say,
 Who wish'd (poor soul) to hear a new-launch'd Play :
 Box'd snug at first, completely to his mind,
 With only one grave auditor behind ;
 Ere the third act had struggled to its end,
 In reel'd three critics, each the author's friend—
 On praise determin'd—wit confirm'd by wine ;
 Each And ! or If ! was chaste—correct—damn'd fine :
 To taste so mark'd, my friend, of course gave way ;
 But squeez'd, thump'd, kick'd—still listen'd to the play ;
 Till by repeated plaudits grown so sore,
 Nor flesh nor blood could bear one comment more.
 Such boist'rous friends they surely cannot need,
 Who wish by merit only to succeed.
 To-night we offer to the public view,
 A character, you'll own, perhaps, is new ;
 From Doctor's Commons we the model draw ;
 A promising elève of Civil Law ;
 And civil sure that Law which can provide
 Or (shou'd need be) release you from a bride.
 Thrice bless'd the mansion where, in spite of ills,
Alive or dead, you still can have your wills.
 Much could I offer in our Author's cause ;
 Nay, prove his first great object—your applause ;
 But, lest dull friendship should his genius wrong,
 I'll stop—before the Prologue grows too long,
 And *Better late than never* hold my tongue.”

* EPILOGUE to the new Comedy of the “CURE FOR THE HEART ACHE.” By Miles Peter Andrews, Esq. M. P.—Spoken by Mrs. Mattocks.

SHAKESPEARE, a shrew'd old quiz, in his dull age,
 Said, very gravely, all the world's a *stage*.
 But if the poet to our times could drop,
 He'd rather own that all the world's a *shop*.

are expressly written for the purpose of merely
 "fretting and fuming their day" upon the stage.

And what's the *trade*? exclaim the critic railers;
 Why, "men and women all are merely *taylors*."
 Nay, frown not, beaux; and ladies, do not pout;
 You've all your *cuttings in* and *cuttings out*.
 And, first, Miss *Hoyden*, just escap'd from school,
 Slighting mamma, and all domestic rule;
 If she, in fashion's road, should chance to trip,
 What says the world? why, Miss has made a *slip*,
 And if, a falling character to save,
 She weds with age, just tottering o'er the grave,
 The sportive world will still enjoy the joke,
 And spouse, at home, at once is made a *cloak*;
 The politician next, who, when in place,
 Views public measures with a smiling face,
 Croaks, when he's out, a discontented note;
 Sure he's a *taylor*,—he has turn'd his coat.
 Oft have I measur'd you, when closely sitting,
 To see what twist, what shape, what air, was fitting.
 Once more I'll try, if you'll make no resistance;
 Mine's a quick eye, and measures at a distance.

[*Produces the sheers and measures.*]

"Great Mr. Alderman—your worship—Sir,
 If you can stomach it, you need not stir,
 Room you require, for turtle and for haunch,
 'Tis done—two yards three quarters round the paunch.
 Slim Sir, hold up your arm—O you're a poet,
 You want a coat, indeed—your elbows show it.
 Don't tremble, man, there's now no cause for fears,
 Tho' oft you shirk us *gemmen of the sheers*;
 Genius stands still when *taylors* interpose,
 'Tis like a watch—it ticks—and then it goes.
 The needle dropt, the warlike sword I draw,
 For e'en our sex must yield to martial law;

In the mean time Mr. Andrews formed an acquaintance with many persons distinguished either for their talents or their rank in life, and it is generally understood that the eccentric Lord Lyttleton,*

Lady *Drawcansir* came to me last night,
 "O! my dear ma'am, I am in such a fright;
 "They've drawn me for a man, and, what is worse,
 "I am to *soldier* it, and mount a horse:
 "Must wear the breeches." Says I, "don't deplore
 "What in your husband's life you always wore;
 "But that you la'aship's heart may cease from throbbing,
 "Let your fat coachman mount upon fat dobbin;
 "And for the good old pair I'll boldly say,
 "Nor man, nor horse, will ever run away;"
 "Run—arrah, who is that—dont fear betray,"
 Cries patriot Paddy, hot from *Bantry Bay*;

[*Assuming the brogue.*]

"The Frenchmen came, expecting us to meet 'em,
 "And sure we all were ready there to beat 'em,
 "With piping hot potatoes made of lead,
 "And powder that would serve instead of bread;
 "Then for the meat, Oh, such fine legs of frogs,
 "With warm dry lodging for them in the bogs."
 "They came, alas," cried I, of terror full,
 "They made a conquest"—"no, they made a bull."
 But softly—what with measures—bulls—and battle,
 You must, I'm sure, be tired of my dull prattle;
 But while you look so pleasant, kind, and clever,
 Had I my will, I'd talk to you for ever."

* This was not the "moral," George Lord Lyttleton, the companion of the King's father, (Frederick Prince of Wales) the opponent of Walpole, the coadjutor of Lord Chatham, and the author of a little volume of classical poetry, but his son. This young

exhibited a lasting proof of his regard by a bequest in his will. But as he was not on one hand dazzled with success, so did he not on the other, like too many literary men, omit any fair opportunity of ascertaining and securing his independence. Accordingly, on the death of an elder brother, who we believe possessed the manor of Dartford, and carried on a celebrated manufactory of gun-powder there, he immediately succeeded him; and it is no small praise, perhaps, at least in time of war, that he who has so often extracted a laugh from a British audience, has not unfrequently brought tears in the eyes of their enemies! In fine, Hood, Howe, St. Vincent, and the Duke of Bronte, have all been indebted to this modern Salmoneus for their thunder.

Mr. Andrews does not appear to have turned his mind towards a seat in parliament until 1790, when he succeeded the late Lord Westcote for Bewdley, who was soon after created Baron Lyttleton of Frankley in Worcestershire. He has been uniformly re-elected for the same in 1796, 1802, 1806, and 1807, without any opposition, and has consequently sat during five successive Parliaments.

This gentleman, long known in the gay world, has lately purchased, ornamented, and fitted up

nobleman, (Thomas Lord L.) possessed perhaps greater talents than him, but died in the midst of a career of dissipation, else he might have been reclaimed. He thought, on his death-bed, that he saw an *apparition*, and was in hope, by outliving the prediction, to "jockey the ghost."

1809-1810.

M M

the noble mansion, recently built by Lord Grenville, which possesses a fine view of the Green Park, where he lives in an hospitable and elegant manner, and gives entertainments to the first people of fashion.

He was in habits of intimacy with the late Duke of Leeds, who exhibited a congenial turn for poetry, and during the present war has betaken himself, like most men of fortune in the nation, to a military life, being at present Lieutenant-Colonel Commandant of the St. Martin's, now called "the Prince of Wales's Volunteers."

Mr. A. possesses Bignore manor near Dartford, and is concerned, as has been already stated, in the great gun-powder manufactory carried on in that neighbourhood, which furnishes supplies to government to an immense amount, of that principal article in the long catalogue of those employed for the purpose of human destruction.* During the American war, the contractors, dreaming of nothing but *close quarters*, deemed it unnecessary that our cannon balls should have any effect at a distance; but they now prove fatal both *far* and *near*.

The member for Bewdley sometimes delivers his sentiments in parliament. In January 1797, when Mr. Pitt proposed his scheme for encreasing the assessed taxes, so as to raise a large sum of money within the year, it was considered by him as the best plan that had hitherto been devised.

* The *firm* of the house is Pugon and Andrews.

" He thought the bill before the House would be productive of much good, as it had a direct tendency to preserve the credit of the funds. The burden was certainly great, but in our present situation strong measures were absolutely necessary. The French rulers had avowed an hostility against the existence of our constitution, and we had no alternative ; we must either exert ourselves or perish. The enemy had chosen the road—the road was war ; war was now our only road to peace. Government had twice tried to obtain that blessing by negotiation. Should we now by tame and abject submission sue for peace ? Should we allow them to enslave us under the pretext of giving us liberty ?

" He was not in habits of intimacy with his Majesty's ministers, but he could not help observing, that the Chancellor of the Exchequer evinced his patriotism by bringing forward the present measure. It was much against his (Mr. Pitt's) personal convenience, and by it he risked at least his existence as a minister. This bill created no friends, but gave his enemies many opportunities of employing their devices against him. He was well disposed however to the principle of the bill, and he thought it would have been happy for the country if this system had been adopted long ago ; for then it would have been impossible for the ambition and folly of any minister to have carried on any war so long as wars had been carried on, as by recurring to the funding system, a fatal facility was afforded to the commencement of and perseverance in hostilities."

In the course of this speech, he paid many compliments to the patriotism of the people, and trusted " that there was not an arm in this island, capable of wielding a sword, that would not be proud to do it against such a foe."

In 1802 we find his name in the list of the minority, who voted in favour of the Prince of Wales' claims to the revenues of the duchy of Cornwall during his minority, and also on the Additional Force Bill, June 18, 1804.

But it is chiefly as a member of the *Bon Ton*, that Colonel Andrews has rendered himself conspicuous, and in this point of view he is not eclipsed by any one in the higher circles of fashion. His house is occasionally thrown open to the first company, and no private gentleman perhaps has ever possessed a more elegant assemblage of Lords and Ladies, than have made their appearance at his routes. His noble with-drawing rooms, uniting with the brilliancy of an audience chamber all the effect of a conservatory, exhibit, amidst the severest rigours of winter, a parterre of blooming Duchesses, Marchionesses, Countesses, Baronesses, &c.; and had he realised his early inclinations, and repaired to the East, his *Harem*, even if he had become a Turkish Bashaw, would have turned pale at the sight of so many fine specimens of British beauty.

MR. FILMER HONYWOOD,

late Knight of the Shire for the County of Kent.

THAT the minds of the English are continually occupied with political discussions, and that they debate with an honest ardor on all events, connected, even in a remote degree, with the happiness or prosperity of the nation, is a fact well known to every native, as well as to every foreigner who has visited this country. In the capital, the great interests of the empire are freely, and oftentimes ably discussed. Our connexions with allied states; our disputes with hostile ones; the rights and claims of

neutral and belligerent powers; the pretensions of rival statesmen; the conduct of ministers and of opposition; all these by turns engage the attention and excite the lucubrations of the politicians of our metropolis.

Those who reside at a distance from the centre of information, revolve within an humbler orbit, and are content to occupy themselves with speculations of a more limited nature. The merits or demerits of a knight of the shire with them become a fit subject of discussion, and not unfrequently, of enmity; the name of a favourite candidate is a prefix for a whole family; red, blue, and orange ribbands serve as the symbols of affection, and petty feuds are carried to such a length, that during a hard-fought election, the zeal of friendship ceases to operate, the ties of blood no longer bind, and commerce itself, in a great measure ceasing, even the clamours of interest (the deity worshipped by the English of the present, as by the Dutch of a former day!) are for a while suspended.

The county of Kent has long stood eminently conspicuous in this, as it is in almost every other point of view. Situate in the vicinity of the metropolis, abounding with men of enlightened minds, and possessing every possible inlet to knowledge and to wealth, no other district, of equal extent, in the kingdom, can compare with it. It was the first portion of England that attained civiliza-

tion,* and is likely to be the last to relapse, either into slavery or barbarity.

The admirable law of *gavelkind*, which, to attain the summit of human perfection, wants only an extension to heirs-female, as well as heirs-male, has effected much for its prosperity and happiness; and this is perhaps the only county in the kingdom where a kind of happy equality prevails, in the fortunes of the country gentlemen, all of whom, of any note, possess about, and few or none exceed 3000*l.* or 4000*l.* per annum. The farmers consist of sturdy, and it may be added, of opulent yeomanry, who have not only votes of their own, but can command the suffrages of others. Here, a man of fortune will not blush to sell a hundred, or a thousand hop-poles; the writer of this article knows that one of its nobles† does not think himself dishonored, by enabling his neighbours to fatten their oxen by means of his intervention, while he has beheld the lord-lieutenant‡ sending his team of oxen to market with wheat raised under his own immediate inspection, for the express purpose of being retailed in single bushels at the neighbouring market.

* "Kent is the civilest place of all the isle."—*Shakspeare*.

† Lord Barham, late Sir Charles Middleton, who has an oil-mill on the Medway, between his own house and Maidstone.

‡ The Earl of Romney; Lord Camden, in consequence of the resignation of that worthy nobleman, has lately succeeded him in that office.

After these preliminary remarks, it will cease to surprise, when it is added, that Kent is first in agriculture and in wealth; that it possesses a greater number of voters than any other portion of the island of equal extent; and that it has effected more to ascertain and substantiate its own independence, both in respect to royal and aristocratical influence, than any other county in the kingdom. Its freeholders, now in number about 1100, when excited by the critical situation of the times, or affection to a popular candidate, have accordingly performed wonders in the *very teeth* of the most formidable union of power ever witnessed before, and have actually triumphed over the combined interest of the three dock-yards of Chatham, Sheerness, and Deptford, the military arsenal at Woolwich, and the metropolitan and episcopal sees of Canterbury and Rochester.

Filmer Honeywood, a name formed to combine in an appropriate manner with these facts and observations, was born in the county of Kent in the year 1748. He is the elder son of Sir John Honeywood, of Evington, in the county of Hants, Bart. by Dorothy, daughter of Sir Edward Filmer, of East Sutton, in the county of Kent, Bart.

It was in the latter county that he received the rudiments of his education, at a provincial school, where one of his contemporaries was the late Colonel Richard James, of Igtham Court Lodge, who was his bosom friend and most zealous supporter, until, about a dozen of years since, when he obtain-

ed the joint-receivership of the county, through the influence of the Duke of Dorset.

It is curious to trace principles, when, like property, they become in some families hereditary. Certain it is, that the ancestors of the subject of this memoir took the same side as the bulk of the nation during the civil wars; and it is a well-known fact, that he himself was for many years the most popular representative, perhaps, ever sent to parliament by any county in the kingdom. In another point of view, however, he does not appear to have imitated his progenitors; for one of his female ancestors is certified to have had, at her decease, no less than "three hundred and sixty-seven children lawfully descended from her."* His uncle, the late General

* The reverend continuator of Camden, records the following extraordinary circumstance: "At Lenham," says he, "is a thing remarkable, mentioned on the tomb of Robert Thompson, Esq. in the church there, who was grand-child to that truly religious matron, Mary Honeywood, wife of Robert Honeywood, Esq. of Charing. She had, at her decease, lawfully descended from her, three hundred and sixty-seven children; sixteen of her own body, one hundred and fourteen grand-children, two hundred and twenty-eight in the third generation, and nine in the fourth. Her renown closeth with her posterity, her body lieth in the church, and her monument may be seen in Mark's Hall, Essex, where she died."

Mr. Honeywood has never had a wife, and it has been jocularly observed both of him and of Sir William Geary, by the partisans of Sir Edward Knatchbull, that from the want of this part of their establishment, they have been hindered to cope with, and sometimes to overcome, the man who has had no less than three!

Philip* Honeywood, who had served with reputation on the continent under William, Duke of Cumberland, left him a very considerable landed estate, and it is not a little remarkable; that although he possessed an excellent mansion on his Essex property, and had not any respectable residence on his Kentish, yet he, for a period of about forty years, preferred to rent a house in one county, rather than gratuitously to occupy one of his own in another.

The first spot he settled at, after he had grown up, was Hall's Place, near Charing, lately appertaining to the Sawbridges, one of the wildest and most romantic spots in this island. It is an upland region, surrounded with the Otterden woods, except to the east, whence there is a fine prospect of the sea, the great and little Nore, and all the men of war and merchantmen as they enter or leave those two noble rivers, the Medway and the Thames. Here he kept a pack of hounds, brewed ale for his neighbours, as port wine had not then as now become the common beverage in the county, kept off the gout, the enemy, or as some will have it, the friend of his old age, by regular exercise; and

* The General, who died in 1785, was a singular character in many respects, and is said to have bequeathed 50l. to any one who was in want, and would prove a relationship to him. This, as appears, was accordingly done by Sir Oliver Ington, then in the workhouse at Canterbury, who had been bred a cobbler. Lady F., a washerwoman, was at the same time there. This bequest, with the result of the claim, &c. has been improperly attributed by a late topographer to a Kentish gentleman of the name of Inwood.

laid the foundations of that popularity which so long made him a favourite representative.

He afterwards left this fine healthy Alpine region, as the house was not sufficiently large for his establishment, and descending into the vale, resided for many years at Linstead Lodge, formerly the seat of Henry Roper, Lord Tenham, and still appertaining to his descendants. Near to it is the village, which still gives a title to the head of his family, so called according to Lambard, because it was a *decennery*, or in other words, consisted of ten houses.* Here, with a park around him, and the adjoining lands in culture, Mr. Honeywood began to farm on an extensive scale, and although few men of large fortunes find this a profitable speculation, yet we have every reason to believe, that his agricultural pursuits, in a pecuniary point of view, were far less unprofitable than his political ones, of which we are now about to treat.

The first appearance of the subject of this memoir in public life was in the fourteenth parliament of Great Britain, as one of the members for Steyning, in the county of Sussex, Nov. 29, 1774.

* Tenham, as is well-known, was the first place in England where cherries were introduced. They were planted there about 1520, by Richard Haynes, fruiterer to Henry VIII. The fact itself is recorded by Drayton in the following lines :

“ Where Thamesward to the shore, with shoots upon the rise,
 “ Rich TENHAM undertakes thy closets to suffice.
 “ With cherries, which, we say, the summer in doth bring,
 “ Wherewith Pomona crowns the plump and lustful spring.”

On this occasion, he succeeded his relation Sir John Filmer, Bart., and after having sat during the five following sessions, in 1780 was rechosen for this borough, and at the same time returned for the county of Kent, in conjunction with the Hon. Charles Marsham, now Earl of Romney. On this he made his election for the latter, and was succeeded as representative for Steyning, by his nephew, Sir John Honeywood, Bart. In the sixteenth parliament of Great Britain, which met May 18, 1784, he was re-elected with his former colleague; but as Mr. Pitt, a young political adventurer, began to exhibit a practical opposition to all the generous principles of his early manhood, he was soon marked out for exclusion, and the history of his future contests would form a work of no small bulk; but the object has in some measure ceased to prove interesting, partly on account of the obsolete nature of such conflicts, and partly on account of their provincial import.

In Kent, as in all the other counties of this kingdom, there are two parties; the whigs and the tories. The former consist chiefly of the families that distinguished themselves by an adherence to the popular pretensions of William III. in opposition to the hereditary claims of the house of Stuart, and all those who deem the kingly power arising out of the choice, and expressly limited to the benefit of the subject. The latter is compounded almost entirely of those whose ancestors suffered in the cause of kings, or who themselves or their families

have enjoyed, or hope to enjoy, offices, places, pensions, or preferments, whether ecclesiastical, legal, or civil in the state.

Accordingly, in 1790, the latter party who had become strong, partly by six years possession of power, and partly by the terrors of the French Revolution, brought forward and supported a new candidate ;* and as Lord Romney was in a declining state of health, and Mr. Marsham declined a serious

* Sir Edward Knatchbull. His family has been settled at Mersham le Hatch, in Sheppey Lathe, since the time of Henry VII. but they had lands in Kent so early as the reign of Edward II. Norton, the first baronet, who most probably was a royalist, obtained his patent August 14, 1641. He married Miss Westrow, the daughter of a sheriff of London, and was returned, first, knight of the shire for the county of Kent, and next, a Burgess for the borough of New Romney. Sir Edward, the fourth baronet, was also thrice returned for the county of Kent, and afterwards once for Lestwithiel.

Sir Edward, the present and eighth baronet, born about the year 1755, succeeded his father Sir Edward, Nov. 21, 1789, was educated at Winchester, and has been thrice married : 1. in 1780, to Miss Mary Hugason, of Provenders, sister to, and co-heir with, Lady Banks, by whom he has had two sons : 2. in 1785, to Miss Frances, daughter of Governor Graham, by whom he had a son named Wyndham, in memory of an alliance with the family of Sir Wadham Wyndham, Knt. one of the justices of the Common Pleas : and 3. in 1803, to a very respectable Roman Catholic lady of the same county, with whom also he has issue. In a large family picture, which became the subject of litigation some years since, the present Lady K. is introduced with her two predecessors, as making their *apothoses*.

Sir Edward became exceedingly unpopular, in consequence of his uniform support of Mr. Pitt's administration ; but in conse-

contest, the *reds*, as they were called, succeeded in placing the object of their choice at the head of the poll, the numbers being as follows :

For Sir E. Knatchbull	-	4285
F. Honeywood, Esq.	-	3101
Hon. C. Marsham	-	274

The seat of Mr. Honeywood was thus secure for another parliament, but as he was on this occasion only second on the poll, so in 1796 he was lost, another baronet* having started on popular prin-

quence of his death, he has been relieved from all real or imaginary obligations.

In 1806 he was second on the poll, and in 1807 he came in for the first time without a contest.

* Sir William Geary. His paternal grandfather lived first at Cheddington in the county of Bucks, and then at Wellington in Shropshire. His father, Francis, who was bred in the navy, rose by regular gradations to be an admiral of the white, and commander in chief of the grand or Channel fleet in 1780, two years after which (Aug. 17, 1782), he was created a baronet by his present Majesty. He obtained considerable wealth, we believe, by captures made during the American war, with which he purchased the estate at Pollesden, near Leatherhead in the county of Surry, now in possession of Mr. Sheridan.

But the Kentish estates have accrued to the family by the admiral's marriage (Sept. 20, 1748), with Mary, only child and heiress of the late Philip Bartholomew, Esq. by whom he had two sons and three daughters. One of the females married Mr. Leigh, and another Sir John Twisden, Bart. ; of the sons, Francis was a cornet in Burgoyne's light dragoons, and died on the Transatlantic continent, fighting for the right of Britain to tax unrepresented America.

William, the second son, of whom we now treat, born about

ciples, and by dividing the *light blue* party, contributed not a little to weaken it. The following

1759, was educated at Cheam school, and succeeded his father Feb. 7, 1796.

Having, in consequence of this event, come in for the maternal fortune, he settled at Oxenhoath, a noble mansion, situate in one of the most delightful spots in England, being finely surrounded by woods, hop plantations, and cherry orchards. Having aspired to be a member of the county, he accordingly presented himself as a candidate, at the general election of 1796, and was second on the poll, having terminated a long and very expensive contest, with 4418 votes.

In 1802 he was again second, with 4085; this also was a struggle in which all the three parties and their friends spent much money, and in which the tory party was completely routed. On that occasion, such was the influence of Mr. Honeywood's name, that his committee is said to have given two or three hundred votes to Sir William, on certain conditions as to his bearing a part of the expences, and we are sorry to add, that this event was productive of a suit in the Common Pleas.

In 1806, so complete was the consternation of the reds, that Sir Edward Knatchbull withdrew out of compliment to Viscount Marsham, and it was not until the latter had declined in consequence of the shew of hands being in favour of Sir William and Mr. Honeywood, that the old member came forward, and was second on the poll. On this occasion, Sir William perceiving the current running fast against him, relinquished the struggle after he had polled 828 votes.

At the general election in 1807, he stood for Maidstone, and was beaten, after a hard struggle with the *managers* of that borough, in which he was warmly supported by the independent interest. The numbers were as follow :

For George Simpson, Esq.	-	396
George Longman, Esq.	-	374
Sir Wm. Geary, Bart.	-	332

While

is a correct statement of the nine days struggle, with the dates on which it took place, and the numbers of the particular candidates :

	Knatchbull.	Honywood.	Sir W. Geary.	
Tuesday	2215	1828	1828	June 7, 1796.
Wednesday	4228	3264	3507	June 8.
Thursday	4686	3708	3933	June 9.
Friday	4869	3952	4069	June 10.
Saturday	4962	4061	4172	June 11.
Monday	5119	4192	4325	June 13.
Tuesday	5148	4241	4359	June 14.
Wednesday	5170	4248	4386	June 15.
Thursday	5202	4280	4418	June 16.

In consequence of the result of this struggle, Mr. Honynood, for the first time, was left out of the representation ; but so much was the cause cherished, and himself beloved, that many of his adherents were accustomed to consider it as a personal disgrace to themselves and the county.* But in 1802, they were at once completely gratified and avenged. During the whole of the preceding parliament, an active canvass had taken place ; all those who were their own masters, among the middle and

While in parliament, this baronet acted an upright, noble, and disinterested part. Attached to no party, he voted according to the dictates of his conscience, either with or against the minister of the day, and never craved any thing for himself, his friends, or dependents. We wish we had many such men !

* A respectable and aged physician, the late Dr. Milner, of Maidstone, was heard to say, for a year or two after, in the ardor of his zeal, " that the sun had never since shone, with the same genial warmth, on the county of Kent !"

lower classes of the people, came forward, almost to a man, especially the baptists, socinians, and independents; but, indeed, the churchmen were to the full as replete with ardor as the Dissenters.

As on the former election, the celebrated Morris Robinson, (Lord Rokeby of the kingdom of Ireland,) many years member for Canterbury, had appeared, and voted on Mr. Honeywood's side, with a beard reaching, like Aaron's, to his girdle, so on the present, an aged man, with "a huge blue beard," headed the procession to Pinenden Heath, where Mr. Godfrey, the high sheriff, presided. He was followed by a band of music; next appeared a Deal boat on wheels, finely ornamented with light blue favors, and filled with *plumpers*; then Mr. Filmer Honeywood, with a train of freeholders, four abreast, in a column of near a mile long. He himself was surrounded by Mr. Calcraft, now M.P. for Rochester, his nephew, the Captain, who has succeeded him in the representation; Mr. Roper Head, the Messrs. Clarksons, the late Sir Charles Styles, Bart. Mr. Serjeant Runnington, the late Mr. Polhill, who lived just time enough to witness his triumph, &c.

After due proclamation, the poll commenced, and the result of nine days employment was as follows:

Election of 1802.

	Honywood	Geary	Knatchbull.	
Tuesday	1114	996	923	July 13.
Wednesday	2315	2299	2194	July 14.
Thursday	3139	2765	2728	July 15.
Friday	3652	3082	3091	July 16.

	Honywood	Geary	Knatchbull	
Saturday	3992	3319	3400	July 17.
Monday	4365	3656	3691	July 19.
Tuesday	4624	3931	3799	July 20.
Wednesday	4750	4074	3932	July 21.
Thursday	4763	4085	3933	July 22.

Majority for F. Honeywood, Esq. 830.

In 1806, Mr. Honeywood declined any longer to sit in parliament; but was succeeded by his nephew Captain H. whose name was at the head of the poll; and in 1807 he was again returned without any opposition.*

* The following is a list of the knights of the shire chosen for Kent, during the present reign.

Twelfth Parliament of Great Britain (met in 1762) Sir John Cust, Bart. Speaker:

1. Sir W. W. Wyndham, died in 1763, and was succeeded by Sir Brook Brydges, Bart.

2. Hon. Robert Fairfax, brother to Lord Fairfax.

Thirteenth Parliament of Great Britain (1768), Sir J. Cust and Sir F. Norton, Speakers:

1. Sir B. Brydges, Bart.

2. John F. Sackville, who, becoming Duke of Dorset in 1769, was succeeded by Sir Charles Farnaby.

Fourteenth Parliament of Great Britain (1774), Sir F. Norton, Knt. Speaker:

1. Hon. Charles Marsham, now Earl of Romney.

2. Thomas Knight, jun. Esq.

Fifteenth Parliament of Great Britain (1780), C. W. Cornwall, Esq. Speaker:

1. Hon. Charles Marsham.

2. Filmer Honeywood, Esq.

Sixteenth Parliament of Great Britain (1784), W. W. Granville, Esq. Speaker:

1. Hon. Charles Marsham.

2. Filmer Honeywood.

1809-1810.

N N

Having thus given a regular chronological narrative relative to the late Kentish elections, we shall now proceed to state the political track, followed by the subject of this memoir. It has already been hinted, that Mr. Honeywood was a whig from his early youth ; he was of course, therefore, a zealous opponent of the American war, in consequence of which he united with all those who were hostile to a scheme which, in the opinion of many able men, was the fruitful parent of future mischiefs. Not only were the measures that led to this unjust and impolitic contest opposed by the two members for

Seventeenth Parliament of Great Britain (1790), H. Addington, Esq. Speaker :

1. Sir Edward Knatchbull, Bart.
2. Filmer Honeywood, Esq.

Eighteenth Parliament of Great Britain, H. Addington, Esq. Speaker :

1. Sir Edward Knatchbull, Bart.
2. Sir William Geary, Bart.

First Imperial Parliament (1801), Sir John Mitford, Knt. and Charles Abbot, Esq. Speakers :

1. Sir Edward Knatchbull, Bart.
2. Sir William Geary, Bart.

Second Imperial Parliament (1802), C. Abbot, Esq. Speaker :

1. Filmer Honeywood, Esq.
2. Sir William Geary, Bart.

Third Imperial Parliament (1806), C. Abbot, Esq. Speaker :

1. William Honeywood, Esq.
2. Sir Edward Knatchbull, Bart.

Fourth Imperial Parliament (1807), C. Abbot, Esq. Speaker :

1. William Honeywood, Esq.
2. Sir Edward Knatchbull, Bart.

Kent, but also "the introduction of foreign mercenaries into any portion of the British dominions." Lord North, the Premier of the day, allowed that soldiers of this description had been sent to two important garrisons in the Mediterranean, Gibraltar and Port Mahon; and in order "to keep the heads of ministers more securely on their shoulders," he proposed to get rid of the danger and the imputation, by means of a single resolution, "that this measure had necessarily demanded more dispatch than was consistent with the waiting for the assembly of Parliament." This, however, was objected to, on the constitutional ground, that the established law of the land was not to be set aside, by the resolve of one branch of the legislature. Perceiving himself beaten in point of argument, although still strong in respect to numbers, the Chancellor of the Exchequer brought in a bill of indemnity, on which the two knights of the shire moved the following criminatory amendment to the preamble:

"That the measure (viz. of sending the Hanoverian troops to Gibraltar and Minorca), was not warranted by law, and is against the spirit of the constitution;" and it was properly observed by Mr. Honeywood, "that however dangerous the introduction of foreign troops into the dominions of Great Britain, without the consent of Parliament might be, the precedent to be established by the present bill would be infinitely more so, because it was plain it could not be intended to indemnify the

ministers, but to give the measure itself the sanction of Parliament." Lord North, who was a man of humour, replied with a joke, and the amendment was lost on a division by a majority of 72.

The subject of this memoir was greatly attached to Mr. Fox, whom he considered as the real head (the Duke of Portland being the *titular* one) of the firmest, noblest, and most honest minority, that had ever appeared in the British House of Commons. Yet, with all his deference for that great statesman, he could not behold his coalition with a man whose political measures they had both so cordially detested, without an honest and virtuous reprobation. Accordingly, for the same reason that he had formerly supported "the Man of the People" while in a minority, so he now opposed him, when a minister and a colleague of Lord North, for he voted against the celebrated India bill, introduced November 27, 1783, which, like the Irish Roman Catholic bill of 1806, (against which it is not here meant to say a single word) became the signal for the retreat of the new and motley administration.

Mr. Pitt, replete with all the apparent candour and ingenuousness of youth, and with the magic words "reform" and "economy" constantly in his mouth, then became the idol, because the sole hope of the nation. In order to enable him to effect, freely and honourably, what he had so earnestly and so ardently promised, it became necessary to have a strong party in parliament, and as this appeared to be best and most easily attained, by means of a

junction with such as professed the same objects, an union was projected between him and Mr. Fox, who had once more declared for his former principles. A meeting of members was accordingly held for this purpose at the St. Alban's Tavern, Jan. 26, 1784, of which the Hon. Thomas Grosvenor was chosen chairman, and together with the Hon. Charles Marsham, Sir William Lemon, and Mr. Powys, constituted a committee of managers. Mr. Honeywood was one of the eighty members who assembled upon this occasion; but the negociation failed, and no sooner was the young and ambitious Premier firmly seated in his new office, than he immediately began to neglect his old friends, and to forget his old principles.

Meanwhile, the members for the county of Kent, faithful to the pledge which they had given to their constituents, proceeded in the plan for promoting salutary reforms. They commenced with the militia, which they wished to render effective by the whole being called out yearly during the peace, so as to prevent, during war, the possibility of a recurrence to the unconstitutional measure of introducing foreign troops into the realm. But the Premier, under the colourable pretext of saving the paltry sum of 40,000*l.* per annum, opposed and frustrated their plan. This too, occurred exactly at the period when the Duke of Richmond's scheme had been attempted to be brought forward, for expending millions on the fortification of the dock-yards, a measure in which he was successfully op-

posed both by Mr. Honynwood and his colleague, who were in their turn once more foiled by him, in an attempt to secure the freedom of election, by extending the provisions of Mr. Crewe's bill relative to the officers of the customs and excise, to persons holding places in the navy and ordnance departments.

The war with France, in Mr. Honynwood found a strenuous opposer, and he once more most cordially joined with Mr. Fox, in the reprobation of that measure. Hopeless, however, of being able to succeed, and for the most part incapacitated from attendance by disease, he had no longer a wish to remain in parliament; and it was not until he had heard that this gentleman had presented himself once more to the electors of Westminster, that he could be prevailed upon in 1802, to make an offer of his services to the county of Kent.

At length the gout, with which he had been occasionally afflicted for the space of twenty-five or thirty years, became so constant a visitor, that he was unable to attend at all in St. Stephen's Chapel. His mind, however, fully participated in every public event, and on the 8th of April, 1805, when Mr. Pitt's amendment to Mr. Whitbread's motion for a censure on Viscount Melville was lost by a single unit, although confined to his room, he congratulated his constituents in a letter, addressed to them in the newspapers, in which he paid many high compliments to the Speaker, who, by his casting vote on this occasion, had enabled the Commons of Eng-

land to impeach the noble lord on the charge of malversation.

At the conclusion of the second Imperial Parliament, the subject of this memoir determined at once to retire from the representation, and from the county. He accordingly returned thanks to his constituents, whom he had represented during the space of twenty-two years, and leaving Linstead Lodge, repaired to Marks Hall.

Mr. Filmer Honeywood still continues to farm his own lands, and we are happy to add, that he has been lately enabled to throw by his crutches, and enjoy a comparatively better state of health than before. The last public act of his life was that of affixing his signature to a requisition for a county meeting, for the purpose of addressing the King to summon his parliament, and cause an enquiry to be made into the capitulation that succeeded the battle of Vimeira.

We now take our leave of this veteran politician, who appears to have been, perhaps, the only man either in ancient or in modern times, that has acquired the character of a PATRIOT, and the steady support of the popular interest, without having made a single regular speech in the whole course of his life. In short, he has never aspired to be an orator, but contenting himself with integrity and consistency, has obtained uniform support and applause merely from the character of an HONEST MAN.

HUMPHRY DAVY, F.R.S. M.R. I.A.

SECRETARY, TO THE ROYAL SOCIETY, ONE OF THE HONORARY
LIBRARIANS, AND PROFESSOR OF CHEMISTRY TO THE ROYAL
INSTITUTION.

At pulchrum est digito monstrari, & dicitur hic est. *PERSIUS*.

WE have dedicated, perhaps, too many of our pages to the contemplation of those classes of society, who, engaged in the brilliant pursuits of life, become prominent on the canvas, and either court or demand attention. The statesman, who happens to be placed at the head of a great nation, immediately attracts every eye towards him. The politician, who would alter the destiny of his own, or regulate the fate of other countries, experiences universal notice; the admiral, or general, whose victories call forth the tears of thousands, and whose laurels are always besmeared with human blood, becomes venerated during his existence, and at the conclusion of a life of glory, is sure to be saluted with an apotheosis.

On the other hand, the humble man, whose days and whose nights are solely dedicated to the good of society, modestly withdraws from the public gaze. His vigils produce premature age; he becomes pale over his crucibles; his labours occupy the hours that ought to be dedicated to repose, and yet, scorning every selfish motive, his discoveries are not confined to an individual, to a family, or to a nation, but generously promulged for the use and benefit of mankind. Hail Science!

thou deity that hath civilized the world, we bend willingly at thine altar. Truth, reason, and experiment, are the only priests who minister in thy temple; thy worshippers are of no sect, no party, no particular country; always at peace, thy appanage includes a world in arms; thy views extend to the whole human race; all animated space becomes the object of thy exploits, and the theatre of thy triumphs!

The subject of the present article has lately excited no common portion of attention, and therefore of course every thing concerning him becomes interesting to the public. Humphry Davy is a native of Cornwall. His parents resided for many years at Penzance, in that county, and he himself was born there about the year 1775 or 1776. We are at present unable, with precision, to fix the date, and therefore, considering his labours and his success, scarcely expect to obtain full credit on this subject, from those who have not seen him.

The humble ambition of his family, pointed out medicine as the object of his studies, and his father and mother, confining their hopes to provincial success, looked up, perhaps, with honest exultation to the time when their son was to divide the practice of the county town, or monopolize that of some of the larger villages in his native duchy. To enable him to achieve this, he was placed under their neighbour, a respectable gentleman of the name of Borlase, descended from the celebrated Cornish anti-

quary,* and who, if we are not greatly mistaken, like many other country practitioners, united the three different branches of medical science in his own person, acting occasionally as physician, surgeon, and apothecary.

But young Davy did not confine his attention to pursuits of this kind. He soon became addicted to the study of natural history, and being situate in a part of the island rich in mineralogy, collected a number of fine specimens. Not content with this, he began to extend his views to the various decompositions and combinations of nature, to examine the different systems of the philosophers, both ancient and modern, and to form theories of his own.

He did not confine himself, however, to geology alone, for as he possessed a capacious mind, which embraced a wide field of action, he was eager to become acquainted with whatever was curious, interesting, or profitable in science. At the time to which we now allude, chemistry, at one period confounded with and debased under the name of alchymy, was just beginning to afford results honourable to the genius of those who practised it. Dr. Black had already made his notable discovery

* William Borlase, LL.D. and F.R.S. Rector of St. Just, the friend of Pope, whose grotto he adorned with spars, and a benefactor to the university of Oxford, to which he presented a number of fine specimens of fossils, was author of an *Essay on Cornish Crystals*, *A Natural History of that County*, *Observations on the Scilly Islands*, &c.

concerning that gas, to which he gave the name of fixed or fixable air ; Mr. Cavendish pursued this subject, with his wonted zeal, and ascertained new facts ; Priestley, another name for science, had just analysed the air of that ungrateful country, which he was soon after doomed to leave for ever ; while Lavoisier, who had just appeared like a radiant star above the horizon of France, began to propound his new theory, and to form a new nomenclature for the art.

Mr. Davy, young as he then was, appears to have been no inattentive spectator of the interesting scene that now presented itself to his youthful view. Although situate in a distant portion of the island, and enjoying but little intercourse with men of philosophical minds and habits, he yet paid particular notice to all the recent discoveries, and perhaps secretly revolved, in his own mind, on the means by which he might one day be enabled to extend their limits, or add to their number.

Meanwhile, an event occurred that seemed admirably calculated to increase his practical knowledge, and which, by affording him a wider scope for experiment, promised to gratify his predominant passion. It is well known, that the ingenious Dr. Beddoes, of Bristol, some years since determined to call in physics to the aid of the healing art, and attempted, by means of air, modified after a certain manner, to cure, or at least to alleviate the horrors of phthisis, so long considered as the reproach of medicine. To effect this, an extensive apparatus

became necessary, and for its regulation and superintendence an able and ingenious practitioner was wanting. Mr. Davy was selected on this occasion, and he accordingly resided for some time at the Pneumatic Institution, Dowry-square, in the immediate vicinity of the Hotwells.

Short as his stay there was, yet the talents of the subject of this memoir began to develope themselves, and he was already considered as a very extraordinary young man, when he determined to repair to the metropolis. Here then he arrived within the last half dozen of years, and found that a new energy had been given to the public mind by the Royal Institution, which it was hoped, would render science both popular and fashionable. Count Rumford, after making great reforms in the dominions of the Elector Palatine on the subject of mendicity, had returned to England, and became one of the patrons and promoters of this new school of experimental philosophy. Whether he had the merit of introducing Mr. Davy before he repaired again to the continent to behold his own original protector converted into a monarch, we know not, with any degree of certainty; but we are pretty sure that the latter gentleman succeeded Dr. Young, the nephew of Dr. Brocklesby, and opened to himself a career that has already formed an epoch in the history of chemistry.

Before we attempt to convey an idea of Mr. Davy's discoveries, it may not be improper to give a brief and popular history of that branch of sci-

ence, by means of which they were effected, and this will of course be better suited to the notice of the tyro than the adept. Electricity, is a term used to denote the operation of a very subtile fluid, which is one of the principal agents in producing the *phenomena* of nature. Amber was the first body known to acquire an attractive power by friction; and Mr. Boyle was the first man who had a glimpse of the electric light.

Otto Guericke, Burgomaster of Magdeburg, formed an electric globe of sulphur, by means of which he performed various experiments. Dr. Wall, by rubbing amber on a woollen substance in the dark, produced light, accompanied by a crackling noise. Mr. Hawksbee, on discovering the great electric power of glass, produced an acute sense of feeling; Mr. Grey, of the Charter House, added to this the knowledge of attraction; he also drew sparks at pleasure, and with facility, introduced metal conductors, and asserted, that the electric fire was of the same nature as thunder and lightning.

M. Von Kleist was the first to collect the electric virtue by means of a nail, or brass wire, confined in a small bottle; the Leyden phial and the electric battery followed.

At length, Franklin, the first philosopher of the Trans-Atlantic Continent arose, and not only produced an accurate theory, but demonstrated the identity of lightning and electricity. Not satisfied with speculation, he constructed a kite with a

pointed wire fixed to it; and having sent this up into an electrical cloud, during a thunder storm, actually attracted the lightning, which he made to descend along a gold wire twisted around a hempen string, until it came in contact with a silken cord, at the union of which bodies he affixed a key, and charging a phial, kindled spirits, and performed all the usual electrical experiments. A Frenchman, who united the character of a philosopher with that of a statesman, complimented him in the celebrated hemistich of

“ Eripuit fulmen cœlo, &c.”

and his son, Governor Franklin, who witnessed this grand discovery, is still alive.

Lewis Galvani, a celebrated physiologist of Bologna, in 1791, thought he had discovered that all animals are endued with a peculiar kind of electricity, and by many successful experiments on frogs, at once enlightened and astonished the philosophical world. Upon this system, first developed in the treatise, “ *de Viribus Electricitatis in Motu Musculari Commentarius*,” Volta made great improvements. It was he who lately found that the slight effect occasioned by the use of three conductors, may be increased to a prodigious degree, by repetition: for instance, if one combination of silver, zinc, and water, produce a certain effect, this will be augmented by a second, a third, and a fourth. It was he who, by multiplying these, produced what has been called after him the “ *Voltaic pile*,” and it is by means of those repeated combina-

tions, now generally called "galvanic batteries," which in their turn have been subdivided into batteries of the first and second order, that all the recent discoveries have been made.

Mr. Davy had no sooner obtained the Professor's chair, and procured a suitable apparatus, than he commenced his labours. At first he confined himself, in public at least, to the trials already made by those who had preceded him. He next resolved to put to the test what had hitherto been dubious; and lastly, unseduced by the plausibility of former theories, he ventured into a wide field of bold and original experiment, which has led to all his recent achievements.

He at last determined to communicate his labours to the Royal Society, and we shall now notice them in the order chosen by himself.

In the Bakerian* lecture for 1806,† the subject chosen by Mr. Davy, was "some chemical agencies of electricity." The first set of experiments described in this paper, was undertaken with a view to ascertain with greater accuracy than had hitherto been attained, the sources of the acid and alkali, observed to be produced when distilled water is submitted to the action of the galvanic fluid.

* This lecture was not founded by a nobleman, a man of rank, or a man of fortune, but by Henry Baker, a native of London, and originally a bookseller. He himself obtained from the Royal Society a gold medal in 1740, died in 1774, at the age of seventy, and bequeathed 100*l.* for an anatomical or chemical lecture.

† See the Philosophical Transactions for 1807.

Several of our ablest men had hitherto ascribed this phenomenon to certain impurities in the water, and ingredients in the composition of the glass and the conductors; but this had been denied by others, and the result has not only proved highly honourable to science, but highly flattering to the speculations of our best chemists.

Two cups, cones or other vessels, capable of containing water, and made of various substances successively, were connected together by films of pure amianthus, and connected also with the positive and negative ends respectively of the pile of Volta, by means of platina wires. The pile was a strong one, generally consisting of 100 or 150 plates of zinc and copper, six inches square, and moistened with alum, or alum and diluted sulphuric acid

The water in the vessels being exposed to the action of this pile, after a certain time became acid in the positive vessel, and alkaline in the negative one. When the vessels were of glass, the alkali was much greater in quantity (about twenty times) than when they were of agate. The same process too, in the latter case, being repeatedly tried with the same cups, though the acid continued to be abundantly produced on the positive side, the quantity of the alkali was diminished greatly in the negative tube. Still, however, some was produced; and after several repetitions of the process, the quantity continued stationary, being extremely small, although still perceptible. It was natural, therefore, to

suspect the water of having some alkaline impurities.

The process was next repeated with small vessels of pure gold, and in ten minutes the negative vessel had attained its *maximum* of alkali ; for the action being continued for fourteen hours, while the water in the positive vessel became constantly more acid, the water in the negative side was not sensibly changed ; and after three days more had elapsed, the acid became still stronger, the alkali remaining as before. By evaporating a quart of the same distilled water, seven-tenths of the grain of solid matter was obtained, consisting of nitrate of soda, and nitrate of lead, the latter apparently from the still.

The galvanic experiment was next repeated in vessels much used, and in gold vessels, with the water thus purified by evaporation ; and no alkali was produced in the negative vessel. The substances of the vessels being varied, different acids and alkalis were produced in the opposite sides of the circuit. Thus wax tubes gave for the acid matter a mixture of sulphuric, muriatic, and nitric acids ; for the alkaline, soda and potash ; while carara marble gave lime and water continually, and at first a mixture of lime-water and fixed alkali. But in all the experiments, nitrous acid was produced in the positive side, constantly to the end of the process ; and a small quantity of ammonia was regularly formed in the negative side, at the beginning of it.

For the purpose of rendering still more indubitable
1809-1810. o o

table the inference to which all these experiments point, the process with purified water in golden vessels, was performed during many hours in the receiver of an air-pump, exhausted sixty-four times ! and then in a receiver filled with hydrogen gas. In neither case was the smallest particle of alkali produced ; in the former there was a most minute portion of acid ; in the latter, none whatever.

The result then of these elaborate experiments, is the conclusion, that wherever an acid or an alkaline matter is produced by subjecting water to the action of the galvanic fluid, the latter of these bodies is evolved, either from the impurities of the water, or the materials of the vessels ; and the former, from the vessels or the impurities of the water, or the union of one of the constituent parts of the water with the azote, which it has absorbed from the air. And the only case in which an alkali is really formed, is where ammonia results from the union of the hydrogen of the water, with the azote dissolved in it.

There is one fact common to each of these experiments ; we allude to the uniform and exclusive appearance of the alkali, when any was evolved, at the negative surface, and the acid at the positive surface. The observation of this fact, naturally led Mr. Davy to examine more fully the laws of this action, by exposing it to a variety of known substances. He began with a set of experiments upon insoluble bodies, containing large quantities of acid

and alkaline matter, repeating the process so often referred to with two cups, made successively of the sulphates of lime, stronites, barytes, and fluato of lime connected together, either by pieces of the same earths, or by asbestos. The water in the positive cup was always, as the process went on, mixed with more and more sulphuric or fluoric acid; and in the negative cup it was uniformly converted into lime-water, or had a mixture of stronites, or a crust of barytes, carbonated by the contact of the atmosphere.

Insoluble substances, containing very minute portions of acid and alkali, were next exposed to a similar process; and the negative side uniformly extricated the alkali, the positive side the acid, however small the quantities. Soluble bodies were then examined in like manner, being subjected to the galvanic fluid in agate cups, and dissolved in pure water. The separation here went on much more rapidly, but it followed the same rules. The negative cup contained a solution of alkali, or a deposit of earth, or metallic crystals, according to the compound neutral employed; the positive cup uniformly contained a great excess of acid; a muriatic salt gave oxymuriatic acid in the positive cup.

Two foreign chemists, of great reputation,* had made an experiment, in which muriate of lime being exposed in the positive side of a siphon, and pure water in the negative, the action of the galvanic

* Messrs. Hisinger and Berselius.

fluid made lime appear in the water; so extraordinary a discovery merited every degree of attention.

Mr. Davy, having determined to pursue it immediately on the plan of his former experiments, his first enquiry was into the manner of the passage here remarked, through a menstruum not chemically attracting the substance which passed over. An agate cup, filled with water, was connected with a cup of sulphat of lime, by moistened asbestos; if the former was positively electrified, acid soon came over; if negatively, lime came over. Metals, and metallic oxides, passed over to the negative cup, like alkalis and alkaline earths; and, in one beautiful experiment, where nitrate of silver was placed in the positive side, the amianthus between the cups appeared to be covered with a thin film.

The transference went on slower, in proportion to the body of water through which it was performed; when the wires were only an inch asunder, sulphuric acid came over from the sulphate of potash in five minutes; nor was contact with either electrified surface necessary in these experiments. A vessel of solution of muriate of potash, being connected by amianthus, with two glass tubes filled with water, the one negatively, the other positively electrified; by degrees, the alkali went over into the former, and the acid into the latter. But one of the most singular parts of this process is, that the acid and the alkali in passing from one vessel to

another, through any intermediate body of water, or over the surface of the amianthus, do not change the vegetable colours in their way, except in so far as they come in contact with them at the positive and negative sides respectively.

Mr. Davy had now ascertained the regular decomposition of bodies containing acids united with alkalis or metallic bases; the constant preference of the acid for the positive side, and of the alkaline or metallic base for the negative; and the actual transference by perceptible motion of those substances from one part to another of the electrical circuit. But he was now led a step further, and perceived a phenomenon perfectly different in kind from any thing which former experiments had made known; for he found, 1. That the action of the acids and alkalis on vegetable colours, was suspended by the electrical state of those bodies; and, 2. That the influence of chemical affinity, in this instance, at least, was superseded by the powers of electricity.

In the course of his experiments he discovered,

“ 1. That a piece of muscular fibre of two inches long and half an inch diameter, after being electrified by the power of 150° for five days, became perfectly dry and hard, and left an inclination or saline matter. Potash, soda, lime, and oxide of iron were dissolved from it on the negative side, and the three common mineral acids and the phosphoric acid were given out on the positive side.

“ A laurel leaf treated in the same manner appeared as if it had been exposed to a heat of 500° or 600° Fahrenheit and was brown and parched. Green colouring matter, with resin, alkali and lime

appeared in the negative vessel, and the positive vessel contained a clear fluid which had the smell of peach blossoms, and which, when neutralized by potash, gave a blue-green precipitate to solution of sulphate of iron."

It appeared also, by an experiment on a small piece of mint in a state of healthy vegetation, that the electric powers of decomposition act even upon living vegetable matter, while there are some phenomena which seem to prove, that they operate likewise upon living animal systems.

In fine, the Bakerian Lecture for 1806, will be considered as a model for philosophical research, and by laying down certain general principles, is likely to form an epoch in science. The grand deductions are:

1. That the acid alkali produced when distilled water is submitted to the action of the Galvanic fluid, arises from impurities in the water and ingredients in the apparatus.

2. That the influence of electricity in various processes, of elective attraction is rendered conspicuous.

3. That the Galvanism which operates in the Voltaic pile, is identical with common electricity.

And 4. That the preceding experiments open a wide field of science, and lead to the very brink of new, grand, and important discoveries.

Meanwhile Mr. Professor Davy continued his researches with unwearied industry, and in the course of the following year determined to communicate them to the Royal Society. His investiga-

tions had led him to new and singular results, and as some of his discoveries were already rumoured abroad, not only the chemists of England, but those of the continent were on the tiptoe of expectation.

It ought to have been noticed before, that in 1802, Mr. Davy published a "Syllabus of a Course of Lectures on Chemistry, delivered at the Royal Institution of Great Britain," whence we have drawn up the following summary,* and it is but bare justice to add, that the whole is arranged in a very scientific manner.

PART I.

THE CHEMISTRY OF PONDERABLE SUBSTANCES.

DIVISION I.

Of the Chemical Powers and the Modes of their Application.

1. Of the general Logic of Science.

The sciences are classes of different facts associated together by analogy, &c.

2. Of the Nature of Chemistry.

"Chemistry is that part of the science of nature which relates to those intimate actions of bodies upon each other, by which their appearances are altered, and their individuality destroyed.

"The knowledge of those actions is derived from our sensations; and the facts that represent them are classed according to the corpuscular theory."

3. Of the Corpuscular Theory.

"The different bodies in nature are composed of particular minute parts, individually imperceptible to the senses."

4. Of the Power of Repulsion, or Caloric.

5. Of Attraction.

6. Of Chemical Operations.

The methods by which these purposes are effected, are by synthesis and analysis.

* In this skeleton, those parts only are in some measure filled up, which are connected with the late discoveries.

7. Of the Instruments of Experiment.

DIVISION II.

Of Undecompounded Substances, or Simple Principles.

1. Of the Classification of Undecompounded Substances.

Forty-two principles are at present acknowledged, which may be divided into six classes.

2. First Class.

This consists of oxygen, hydrogen, and nitrogen: these are permanent gases at all known temperatures. "They have no taste, smell, or colour, and are very little absorbable by water."

3. Second Class.

Phosphorus, sulphur, and carbon.

4. Third Class.

Twenty-one metals, viz. 1. platina, 2. gold, 3. silver, 4. mercury, 5. copper, 6. tin, 7. lead, 8. iron, 9. zinc, 10. antimony, 11. bismuth, 12. arsenic, 13. cobalt, 14. nickel, 15. manganese, 16. tungsten, 17. uranium, 18. molybdena, 19. titanium, 20. tellurium, 21. chrome.—N. B. To these we are now to add, 22. * potagium, and 23. † sodaium.

5. Fourth Class.

The earths are in number, viz. 1. silex, 2. alumine, 3. zircon, and 4. glucine.

* "POTASH is obtained from the common caustic potash of commerce by solution in alcohol and evaporation. It was formerly named *fine vegetable alkali*. It is of a white colour. Its taste is intensely caustic, and it acts upon the animal fibre. It becomes fluid at a red heat; but it is volatile only at a very high temperature. It is extremely soluble in water."

† "SODA, is obtained from the muriate of soda (sea salt), by means of litharge. It is purified by treatment with alcohol, in the same manner as potash. Its taste and causticity, as well as many of its other properties, are analogous to those of that alkali; but it possesses less affinity for the acids. It is fusible in a temperature a little below that of ignition. It was formerly called the *fixed fossile alkali*."

6. Fifth Class.

The only known fixed alkaline substances, are 1. potash, 2. soda, 3. strontian, 4. barytes, 5. lime, 6. magnesia.

7. Sixth Class.

We are acquainted with three undecompounded acids : 1. the muriatic acid, 2. the fluoric acid, 3. the boracic acid.

DIVISION III.

Of Bodies composed of two Simple Substances, or Binary Compounds.

1. Arrangement of Binary Compounds.

These may be divided into six, viz. 1. compounds containing oxygen, 2. hydrogen, 3. sulphur. 4. the metals, 5. the earths, 6. the undecompounded acids.

DIVISION IV.

Of Bodies composed of more than two Simple Substances, or Ternary Compounds, Quarternary Compounds, &c.

1. Classification of substances composed of more than two simple substances.

These may be divided into five classes, viz. 1. Oxides with bases compounded chiefly of hydrogen and carbon ; 2. Acids composed chiefly of hydrogen, oxygen, and carbon ; 3. Oxides with bases compounded chiefly of nitrogen, hydrogen, and carbon ; 4. Acids composed chiefly of oxygen, nitrogen, hydrogen, and carbon ; 5. Compounds containing earths and alkalis, or metals.

DIVISION V.

Of Substances composed of different compound Bodies, or of compounded Bodies, and simple Bodies.

I. Classification of substances containing different compound bodies, &c.

These may be considered under four classes, viz. 1. Saline compounds. 2. Mineral substances. 3. Vegetable substances. 4. Animal substances.

DIVISION VI.

General Phenomena of Chemical Action.

Classification.

All chemical action which can be considered as resulting from the powers of ponderable substances may be divided into four

kinds. 1. Simple combination. 2. Compound combination.
3. Simple decomposition. 4. Complex decomposition.

PART II.

THE CHEMISTRY OF IMPONDERABLE SUBSTANCES.

DIVISION I.

Of Heat or Caloric.

"1. Heat or caloric, as well as light, electricity, and galvanism, are terms representing the unknown causes of certain effects, which form an interesting part of chemical science, and which without reference to the nature of the powers by which they are produced, may be investigated and arranged as simple collections of facts."

2. Of the effects of heat; 3. of radiant heat; 4. temperature, &c.; 5. of the communication of heat; 6. of the artificial production of heat and cold; 7. theories concerning the nature of heat; 8. of the instruments used in experiments upon heat; (1. the thermometer, 2. the cyrometer, 3. the calorimeter.) 9. agency of heat in nature.

DIVISION II.

Of Light.

1. Effects of light; 2. laws of light; 3. of the artificial production of light; 4. opinions concerning its nature; 5. of the photometer, an instrument for measuring its intensity; 6. agencies of light in nature.

DIVISION III.

Of the Electrical Influence.

1. Effects of electricity; 2. of conductors and reconductors; 3. of the excitation of electricity; 4. theories concerning electricity; 5. of electrical instruments; 6. agency of electricity in nature.

DIVISION IV.

Of Galvanism.

I. Of the Nature of Galvanism.

"Galvanism relates to the peculiar chemical and electrical phenomena, which are occasioned by the contact of different conductors of electricity. This science, though yet in its infancy, is composed of a number of important facts. Its relations are very

extensive, and furnish powerful and novel instruments of chemical and physiological investigation."

2. Of the Construction of the least complicated Galvanic Arrangements, *i. e.* Simple Circles.

"For the composition of a simple galvanic circle, at least two conductors of one class and one of another class are required; and they must be so disposed, that the conductors of the one class may be in contact with each other in one or more points, at the same time that they are connected in other distinct points with the conductor of the other class. Thus, if plates of zinc or gold be made to touch each other in one point, and be connected together in other points, by a portion of common water or diluted muriatic acid, a simple galvanic circle is formed. A simple galvanic circle is also formed when separate portions of water operate, and solutions of hydrogenated sulphuret of potash are connected together in one point of view, and brought in contact with other points with a piece of silver."

3. Of the Agencies of single Galvanic Circles.

"The galvanic influence is manifested in single circles, either by its power of acting upon living animal organs, or by its chemical agencies.

"1. When the tongue is made part of a simple Galvanic circle, an acid taste is perceived, and when the eye is connected with it, a flash of light is produced.

"2. When the galvanic agency is made to act on a muscle and the nerve attached to it, which have been just separated from the body of a living animal, muscular contractions are uniformly produced.

"3. In all the single galvanic circles, the primary chemical actions are increased, and to a certain extent modified. Thus, when zinc, which oxidates slowly, when exposed to the atmosphere in contact with water, is made to form a galvanic circle with that fluid and silver, it oxidates rapidly; and an alkali appears to be formed in the water at its points of contact with the silver."

4. Of Compound Galvanic Circles, or Galvanic Batteries.

"1. Galvanic batteries are composed by series of the substances

which form simple circles; and these series are arranged in such a manner, that the conductors of each class in every series are in contact with each other, in one point or more, at the same time that they are respectively connected with different conductors of the other class, so that a regular alternation is formed; the order being, conductor of the one class, and water of the other class, and so on. Thus, if plates of zinc and silver, and pieces of cloth of the size of the plates, moistened in water, be arranged in the order of zinc, silver, cloth; zinc, silver, cloth, and so on, till twenty series are connected together, the Galvanic battery of Volta will be formed."

5. Of the Agencies of Galvanic Batteries.

"1. The galvanic influence produces shocks; 2. it passes through the air and contains non-conductors in the form of sparks; 3. it affects the electrometer, and is capable of communicating weak charges to the condenser and Leyden phial."

PART III.

THE CHEMISTRY OF THE ARTS.

DIVISION I.

Of Agriculture.

1. Of the growth of vegetables; 2. of the influence of the air on vegetation; 3. of soils; 4. of the action of the water on vegetables; 5, of the influence of heat and light on vegetables; 6. of measures; 7. of the cultivation of lands.

DIVISION II.

Of Tanning.

1. Of the nature of tanning; 2, processes of tanning; 3. of the composition and texture of skin; 4. of barks and other substances employed for forming lixivium; 5. of the theory of tanning; 6. of improvements.

DIVISION III.

Of Bleaching.

1. Of the bleaching of wool and silk; 2. of the bleaching of linen and cotton; 3. of the theory of bleaching by oxygenated muriatic acid.

DIVISION IV.

Of Dyeing.

1. Of the nature of dyeing; 2. of the substances used; 3. of

mordants or bases ; 4. of simple colours ; 5. of compound colours ; 6. of calico printing : 7. general observations.

DIVISION V.

Of Metallurgy.

1. Of the modes of procuring metals from their ores ; 2. of the formation of alloys ; 3. of soldering ; 4. of plating, gilding, &c. ; 5. of the analysis of metallic compounds.

DIVISION VI.

Of the manufactory of Glass and Porcelain.

1. Of glass making ; of the manufactory of china, earthen ware, &c.

DIVISION VII.

Of the Preparation of Food, Drink, &c.

1. Of the preparation of food : “ the gelatine, fat, and fibrine in animal compounds, are the most nutritive substances ; and after them follow the sugar and mucilage in vegetable productions. Stewing by means of water, appears to be one of the most economical modes of preparing both animal and vegetable food ; but in baking and roasting, a portion of nutritive matter is always destroyed. As gelatine, mucilage, and sugar are all soluble into water, they may be formed into soups, which are at once nutritive and pleasant to the taste.”

2 Of the making of wine, beer, alcohol, &c.

DIVISION VIII.

Of the Management of Heat and Light artificially produced.

1. Of combustion ; 2. of open fire-places ; 3. of furnaces.

At length, in 1807, Mr. Davy delivered his second Bakerian Lecture* the subject of which was, “ Some new Phenomena of Chemical Changes produced by Electricity, particularly the decomposition of the Fixed Alkalis, and the exhibition of new substances which constitute their bases, and on the general nature of alkaline bodies.” In

* See Philosophical Transactions, Part I. for 1808.

this paper, which may be considered as one among the important results of former elaborate investigations, he proves for the first time by experiment, that the fixed alkalis are compounds of oxygen and metallic bases.

Having before discovered, that by a very singular property of galvanism, when the electric fluid is sent through a circle, in which part of the circuit is a compound of acid and alkali, a decomposition takes place, the acid being always transferred towards the positive part of the chain, and the negative part attracting the alkali only, he now proceeded to subjugate fixed alkalis to the most intense action of the galvanic pile. Mr. Davy first tried an aqueous solution made as strong as possible. He exposed this to the combined action of three great batteries, one of 24 plates of 12 inches square, another of 100 plates of six inches square, and the third of 150 of four inches, a total of almost 1500 inches of metallic plates. But although this produced a great action, it only decomposed the water with violent heat and effervescence. He then tried the alkalis fused by heat without success; for it seemed evident, that the fusion and action must come both at once from the electricity. Accordingly, having slightly moistened the surface of perfectly dry potash, so as to render it a conductor, he placed it on an insulated disc of platina, connected with the negative wire, and fixed the positive wire on the upper surface of the potash.

A remarkable action now ensued; the salt fused

at the wires at the lower surface without any effervescence ; but at the upper with violent effervescence. At the lower surface, however, *small globules like quicksilver* were perceived to emerge, as the process went on, and many of them burnt with explosion and a bright flame : others without explosion, became soon covered with a white crust on continuing exposed to the action of the air. The same *phenomena* were produced when, instead of platina, other metals, as copper, gold, &c. were used, or plumbago, and even charcoal.

The metallic globules, therefore, had nothing to do with the disc that was employed ; and the experiment was equally independent of the air, for it succeeded just as well in an exhausted receiver. Soda, when treated in like manner, exhibited similar results ; but it was more stubborn and required a much stronger electrical action. The globules too, obtained from it, were neither so fusible nor so inflammable ; they were melted and burnt, however, by the heat produced in the course of the experiment.

In both cases, the gas resolved at the upper or positive surface of the alkali, was found to be pure oxygen gas ; nor was any given out at the negative surface, where the globules were formed, unless a superabundance of water existed there. When on the other hand, one of the metallic globules was exposed either to common air or oxygen gas, containing moisture in solution, a white film speedily was formed, which attracted moisture as it in-

creased in thickness, and in a short time the whole globule was converted into this film and dissolved. The solution from the potash globules was always found to be pure potash; those from the other, pure soda. When the air in which the globules are exposed is perfectly free from moisture, the process goes on imperfectly; for the crust which is first formed remaining solid, defends the interior of the globule from the action of the air. When heat is applied, and the globules are exposed to oxygen gas, in a close tube, they burn with great rapidity and a brilliant white flame; the gas is absorbed: no other gas is given out, and the oxide which remains is a pure alkali.

Such is the statement of the decisive evidence by which it is ascertained, that the fixed alkalis are compounds of oxygen, and metallic bases, or metallic oxides. These metals, for so they prove to be; notwithstanding their small specific gravity, are subjected to a classification and nomenclature, and are named *Potassium* and *Sodium*.*

With a view of, ascertaining the proportion of oxygen to metal in the alkalis, Mr. Davy employed the following mode of experiment. He introduced a small tray of gold, silver, and platina, into a tube connected at one end with a pneumatic apparatus and gazometer, and at the other drawn to a point, but suffered to remain open. Upon the tray, metallic globules of known weight were placed; the tube

* It has been proposed to call them *podagen* and *sodagen*.

was filled with oxygen until the whole common air was expelled; it was then hermetically sealed at both ends, and heat being applied to the glass near the tray, the globules were burnt. The tube was opened under water, or mercury, and the absorption ascertained. According to the result of one experiment made with great accuracy, 100 grains of potash contained 86.7 of metal, and 13.3 of oxygen. And according to another trial of the same kind, 100 grains contains 85.5 of metal and 14.5 of oxygen; the mean of the two being 86.1 of metal and 13.9 of oxygen. Soda in like manner consists of 80 grains metal and 20 oxygen in 100 of alkali.

The decomposition of water by the metallic bases afforded another approximation. This gave for potash 84 parts metal to 16 oxygen, in the hundred; and for soda 76 *per cent.* metal, and 24 *per cent.* oxygen. Comparing these leading experiments with the mean results of a variety of others, our author infers, as a general medium of the whole, that potash contains about *six* parts of metal to *one* of oxygen, and soda about *seven* parts of metal to *two* of oxygen.

In examining the properties of the new bodies, a wonderful attraction for oxygen and all oxydated substances was discovered. After repeated trials, naphtha recently distilled, was found to answer the purpose of experiment better than any other, and the globules when taken from thence were covered with a thin transparent film of the fluid, which de-

fended them from the action of the air, and at the same time allowed an accurate examination of their physical qualities.

As to the qualities of the basis of *potassium*; it resembles mercury so exactly in its appearance, that it is not possible to distinguish by the eye, a globule of one metal from a globule of the other, when they are laid together. The fluidity of the potash metal at the temperature of 60° , is considerably smaller than that of mercury; but at 100° , its fluidity is perfect; at 50° it is malleable, and at 32° is chrystallized. It is an excellent conductor of electricity, and requires a red heat to distil it.

Its specific gravity is its most singular property. At 40° of Fahrenheit, it swims in naphtha, the lightest of fluids; its specific gravity is to that of water, as 6 to 10; it is therefore by much the lightest fluid in nature.

When combined with a due proportion of oxygen, it forms a grey substance, which when fluid, is red-brown: this is formed by fusing dry potash with the metallic base. When introduced into oxy-muriatic acid gas, it burns spontaneously with a bright flame, and makes muriate of potash. In hydrogen gas with heat it dissolves; the compound gas explodes upon exposure to common air, and deposits the metal on cooling.

When thrown into water at the common temperature, it instantaneously deflagrates, and a white ring of smoke frequently follows the flame as in the combustion of phosphorets. When the water

is in a close vessel, and there is no contact of air, the decomposition is equally rapid, but without light, and pure hydrogen gas is evolved. A globule placed upon ice, burns with a bright flame, leaving a hole in it full of solution of potash. It discovers and decomposes the smallest portions of water in alcohol and ether, even when previously purified with the greatest care. In sulphuric acid it rapidly seizes on the oxygen, leaving sulphur half oxydated, and sulphate of potash. In nitrous acid it forms nitrate of potash, and evolves nitrous gas. With phosphorus and sulphur it forms phosphorets and sulphurets, which on exposure to the air, become phosphats and sulphats. It amalgamates with mercury; and the amalgam being exposed to the air, potash is formed, and the mercury left pure. With other metals it unites also, and the compound being thrown into water is speedily decomposed; potash and hydrogen being formed and the metal precipitated. It decomposes the watery particles, or the air found in oils long exposed, and precipitates a brown soap. It readily acts upon glass, forming an imperfect oxyde with the alkali, which, by degrees, is fully alkalized when exposed to the air.

In many of its essential properties, the basis of sodium resembles the very singular metal described above; but it is less fusible, and possesses a greater specific gravity. It melts at 120° of Fahrenheit, and is quite fluid at 180° . Its specific gravity is

to that of water, as *nine* to *ten* nearly ; it decomposes air and water, but without any luminous appearance. It acts on the acids in the same way, but without any light, except on the nitrous acid. In other respects it exactly resembles the basis of potash.

Since this very extraordinary and highly interesting paper was written, the French chemists have verified his labours, while further experiments have not only enabled Professor Davy to decompose the two earths already mentioned, and in a still more satisfactory manner, but also to shew, that the other alkaline earths are oxydes of highly combustible metals. He has already decomposed carbonic acid by means of those metals and has oxydated them by muriatic acid. It is now hoped and expected, that charcoal itself, which has so long resisted an inferior apparatus, and a less complete theory, may be decomposed by the new instruments, and that it will be obtained pure and even chrystallized. Such an event would not only form an epoch in science, but contribute to the perfection of art, and the consequent approach of man to the Deity, the source of all human excellence.

We have thus fairly and freely, equally devoid of fear or of favour, and without any communication whatsoever with the subject of this memoir, fully, candidly, and conscientiously declared our opinion of his merits. In consequence of a liberal subscription, amounting to about one thousand pounds, Mr. Davy has been enabled to construct a new and

most magnificent * apparatus, infinitely superior in point of structure, size, and powers, to any other

* It may be agreeable to the curious, to say something in this place respecting the new grand Galvanic battery, larger than that with which Professor Davy made his recent discoveries.

The Galvanic troughs which compose it, are arranged around five tables; each of these troughs consists of a mahogany box twenty-two inches long, and five and a half deep. It has a number of grooves cut in its sides to receive the edges of the Galvanic plates, each of which is composed of two discs, the one of copper, the other of zinc, soldered together.

The inside of the box or trough is varnished with cement, that there may be no communication between the cells; and in putting the plates together they are so arranged, as to be alternately zinc and copper: that is, the zinc side of one plate opposite the copper side of the next.

The troughs have each two pieces of glass tube stuck upon the bottom to support it; by this mode they are insulated, so that the Galvanic fluid cannot escape to the earth when the battery is in use. The cells between the plates are filled up with sulphuric acid diluted with water, and in order to connect the effect of two or more troughs, two plates are joined together by a thin piece of sheet lead soldered to both; one of the plates is copper, the other zinc.

One of these plates being put into the last cell of each trough, the lead conveys the electric fluid from one trough to another, and as the lead is so easily bent, the trough can be set down without any particular regard to position.

There are twenty troughs with twenty-five plates in each, making in all 500 plates, and the superficies of each plate exposed to the action of the acid, contains thirty-five square inches.

When the apparatus is complete, and the batteries brought into use, a wire from the trough, which is the first of the positive end of the battery, conveys the effect of the whole battery to the place

achieved, or even meditated since the discoveries of Galvani and Volta. With this it is expected that experiments will be made on a great scale, and that the results will be proportionate to the means. Let it be recollected, however, that as it was with a *small telescope*, that Herschel swept the heavens, and added to the sum of astronomical science, so it was by means of a *small battery*, that Davy was enabled to produce his two new metals, which, in addition to iron and platina alone, are capable of being welded.

It may not be amiss also to observe, that, like Priestley, he has lately invented an eudiometer,* and

where the experiments are made, which is in the clear space upon the centre table; the next trough is then connected with the former, by means of a piece of sheet lead, and the other troughs are arranged around the tables, each being connected with the adjacent one as before described.

From the first of the negative troughs proceeds a copper wire, wrapped round the end of a small probe of platina: the positive wire is also connected with a small platina saucer, and the piece of POTASH intended to be decomposed, is placed on this saucer. On being touched with the platina probe, it receives the shock of the whole battery, and quickly after the metalliod begins to appear on the saucer in small globules, exactly similar in appearance to mercury.

* Mr. R. Knight read a paper before the Royal Society, in 1807, containing a description of a new eudiometer for the more commodious display of the formation of water, by the combustion of oxygen and hydrogen gas, by means of the electric spark. The instrument consists of a strong cylindrical glass tube to receive the gasses, open at the lower end; of the capacity of two cubic inches, and graduated into decimal parts, and a stand to which the tube is

that Buonaparte has, some time since, awarded a prize to him for his discoveries. As science abhors all national prejudices and political distinctions, we are far from questioning the propriety of receiving any mark even of his munificence, so far as it may be connected with the reward of experimental philosophy.

Equally above delusion and deceit, Professor Davy in his lectures constantly deprecates the admission of principles without proof, and firmly maintaining "that facts alone form the strength and vitality of science." He has lately paid an animated tribute to the genius of his great precursor,* who first brought home philosophy to the minds and dwellings of humble men. He disowns the illiberal notion, that knowledge is to be withheld from the people; and maintains, on the contrary, that it ought to be consecrated to the use of mankind for whose benefit it was intended. It is in this point of view that he contemplates Plato as in-

attached by a clasp and screw: there is also an iron cylinder, containing a strong spiral spring, on the principle of the pocket steel yard; the spindle or central bar of which is fixed on three feet, in order that it may be firmly secured on the side of a mercurial bath, with the mouth of the tube immersed in quicksilver.

By this arrangement, the sudden and violent expansion that takes place at the moment of the combustion of the gases, is relieved by the elasticity of the spring, which, by yielding, allows the glass tube to be heaved up a little way, without being driven from its situation. The process of the experiment is thus secured, and all danger of accident to the apparatus, is effectually prevented.

* Franklin.

ferior to Anaxagoras: the former wished to conceal science under a veil of mysticism, the latter worshipped her in public; the one in penury, in solitude, in exile, appears to him more admirable than the other, enjoying all the luxuries of the court of either Dionysius.

Undazzled and unseduced by the flattering reception his labours have experienced on the Continent, the subject of this memoir assigns to England the meed of praise, in respect to modern science, and from the exalted state which it has attained here, is justly inferred the superiority of our national character. He attributes peculiar advantages to the Reformation, which, by producing a spirit of enquiry, tended to ennoble the minds and purify the morals of the people, while the spirit of civil liberty, engendered by the Revolution, has given expansion to their views, and dignity to their conduct.

Mr. Davy, although a bold and original experimenter, exhibits equal caution and moderation in the mode in which he philosophizes, whether in his writings or his lectures. Unspoiled by applause, and at once copious and minute, he discovers great felicity in seizing, examining, confirming, or rejecting the loose hints of either his contemporaries or his precursors.

To such of our readers in general as have not as yet seen him, we beg leave to observe, that the Professor exactly resembles other men, affecting nothing rude, vulgar, or extravagant, either in his person or address, and to the ladies, in particu-

lar, it would be unpardonable to omit, that he is still unmarried. He possesses great animal spirits, is gay, conversable, destitute of the jargon of science, the common refuge of little minds, has a pleasing face, a good address, a person rather slender, and is from thirty-two to thirty-four years of age.

With so many pretensions to fame, let not the Professor hope to be able to disarm envy, or to put malice to silence: merit like his is the food on which the vilest passions are the most eager to prey. We for our own part, entertain some fears lest the liberality of his sentiments should give offence to narrow minds, in the upper circles, and his generous and noble notions conjure up a host of ignorant, but powerful, enemies. Recollecting, however, that he has taken his station on the "vantage ground," formerly occupied by a Franklin and a Priestley, let him continue to soar above all personal considerations, and proceeding in the race of fame, remember how much we have yet to expect from a man, who in the blossom of life, has already achieved discoveries more valuable than any that have met the public eye since the epoch when Newton communicated his theory of light and colours, and explained and illustrated the laws of nature to a nation, that has become distinguished by the splendor of his name.

APPENDIX.

I.—DR. BURGESS, BISHOP OF ST. DAVID'S.

Vol. X. for 1809-10. (See page 1.)

THIS worthy prelate has not only declined every idea of a translation to a richer see, on the ground "that such removals are utterly inconsistent with episcopal duties," but has actually laid the foundation of a Provincial College, to qualify young clergymen of the establishment, for the Welch church. To attain this object, his lordship has appropriated a tenth of his revenues; during life, and all his beneficed clergy have added their contributions, to a meritorious institution, which has, for its objects:

1. The purchasing, printing, and distributing of moral and religious tracts;
 2. Clerical education and exhibitions;
 3. Building and establishing a clerical seminary; and
 4. The relief of superannuated curates.
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II.—EARL OF DUNDONALD.

Vol. X. for 1809-10. (See page 275.)

The Hon. Basil Cochrane, a younger brother of this nobleman, returned from India about two years since, with a splendid fortune, and has lately erected baths on a new plan and construction, at his town-house in Portman-square. We understand it to be his earnest desire, that similar ones may be adapted to medical purposes, and most cordially wish him all manner of success in his beneficent intentions.

III.—REAR-ADMIRAL SIR ALEX. COCHRANE, K.B.

(See page 308.)

Was brought up under the celebrated Sir George Brydges (afterwards created Lord) Rodney. He acted for a considerable time as signal officer, on board the flag-ship, and was present at the naval action with *De Grasse*, April 12, 1782.

IV.—LORD DUNDONALD.

Lord Dundonald himself is now at Derby, employed in perfecting new machinery for the manufacture of wool, the yarn of which will, by its means, be enabled to attain an unrivalled degree of fineness and perfection.

V.—PROFESSOR DAVY.

Vol. X. for 1809-10. (See page 552.)

Mr. Davy has adopted the termination in *um*, so that his Potassium and sodium may be arranged in the present nomenclature of metals, with platinum, plumbum, &c. It had been proposed, if we are to believe some, by high authority, to terminate them in *en*, so as to coincide with hydrogen, oxygen, &c.

The two new metals are not only malleable, but inflammable in a high degree. They instantly deflagrate, on coming in contact with the smallest quantity of water. Anterior to this discovery, only two bodies of this class, viz. *iron* and *platina*, were capable of being welded, and that, too, by means of a very intense heat. As to the *potassium* and the *sodium*, they can be welded readily, at the common temperature of the atmosphere. Their extraordinary *lightness* is another property for which they are peculiarly distinguished.

The similarity between the properties of earths and metallic oxides, was noticed in the early periods of chemistry, and attempted to be acted upon by those who pretended to be adepts in alchymy, which has since been defined :

" Ars sine arte,
Cujus principium est mentiri,
Medium laborare
Et finis mendicare."

Lavoisier was led by the specific gravity of barytes and strontites, as well as from their poisonous qualities, to conjecture that they were of a metallic nature. On the other hand, the elements of the *fixed alkalis* were supposed to consist in part of hydrogen and nitrogen; but although ~~the most~~-dissimilar in appearance to metallic oxides, they are the first which have been demonstrated to be such.

VI.—SIR SAMUEL ROMILLY.

Vol. X. for 1809-10. (See page 327.)

Since the account in the body of the work was written, we have heard Sir Samuel in the House of Peers, in the celebrated Roxburgh cause, as counsel for Sir James Innes Ker, Bart. great-grandson of Lady Mary Ker, grand-daughter of Robert Earl of Roxburgh, who entailed the immense estates, now in litigation, all of which, according to the decision of the court of Scotland, since appealed from, appertain to his client.

His speeches, on this occasion, were at once dignified and interesting, and the reply to an introductory oration of several days continuance on the part of the Ex-Solicitor General of Scotland, was considered as able and luminous.

VII.—MR. DEMPSTER,

Vol. X. for 1809-10. (See page 238.)

Was educated at the University of St. Andrew's, but afterward repaired to Edinburgh, for the purpose of studying the law. He was a contemporary with Mr. Grey, mentioned in page 256, who, with the most benevolent views, presented an annual prize to St. Andrew's, with the hope that it would be applied annually to the purpose for which it was intended.

Mr. Dempster, who is a member of the Society of Antiquaries in Scotland, has published "an account of the Magnetic Mountains of Cannay," an island twelve miles in circumference, which possesses many columnar appearances, similar to those in Staffa.

VIII.—DR. BATHURST, BISHOP OF NORWICH.

Vol. X. for 1809-10. (See page 377.)

His lordship's brother, the Reverend Charles Bathurst, Rector of Rumford, and late Fellow of New College, Oxford, is at present Chaplain to one of the British Factories in the East Indies.

IX.—MISS HANNAH MORE.

Vol. I. 1798-9. (See p. 476.)

Respecting this interesting female, we are enabled to add some more facts by the publication of the following letter, so flattering to our literary labours.

To the Authors or Editors of the Public Characters.

Gentlemen,

Oct. 3, 1807.

Having perused, with great interest and pleasure, your useful and elegant work, I beg leave to correct a passage in the memoir of Miss More, with whom I was early acquainted. You state, p. 436, that she "is the eldest of three maiden sisters," whereas *she is the fourth of five*. The eldest of them had the management of the school, and was generally called the governess. The celebrated Miss Hannah had her share of duty in educating the young ladies, and when that was performed, she dedicated her leisure hours to study. Among their exemplary acts of benevolence, they educated, gratis, a bewitching girl, born deaf and dumb, daughter of a poor clergyman, who, with pleasing vivacity, used to indicate the five sisters by the five fingers of her hand, and describe, by sprightly signs, her meaning concerning each of them. The thumb was the eldest, &c. and when displeased with any one of them, she used to bite the finger that pointed out the person.

Their father, whom I well knew, was a good and not an illiterate man, and steward to the Duke of Beaufort; one of their original friends and benefactresses, was Mrs. Gawtkin, whose eldest son married the eldest Miss Palmer, niece of Sir J. Reynolds.

Upon enquiry among the Bristolians, you will find that these facts are accurate.

Your humble servant,

AN ADMIRER OF YOUR WORK.

X.—SIR JOHN PARNELL,

FORMERLY CHANCELLOR OF THE EXCHEQUER IN IRELAND.

Vol II. for 1799-1800. (See page 220.)

In the last edition of this volume, ample justice has been done to the *honourable and disinterested conduct* of that very respectable gentleman, whose death we lament as a public loss.

XI.—REAR-ADMIRAL AUVERGNE,

PRINCE DE BOUILLON.

Vol. III. for 1800-1. (See p. 536.)

On perusing the account of this officer, the editors lament that some *insular prejudices* should have been listened to for a moment, and shall in all future editions take care to correct what has been inadvertently admitted, concerning this worthy officer.

XII.—SIR FRANCIS BARING, BART.

Vol. VII. for 1804-5.

This gentleman's paternal grandfather was a divine, at Bremen; his maternal grandfather resided at Exeter. He himself was born there, April 18, 1740, and was only eight years old at the death of his father, which occurred Oct. 30, 1748. After obtaining a competent share of learning in the city just alluded to,

he repaired to London, and spent some time at Mr. Fargues's French school at Hoxton, whence he removed to Mr. Fuller's Academy in Lothbury.

He afterwards married Miss Harriet Herring, a daughter of William Herring, Esq. a kinsman of the Archbishop of Canterbury, of the same name. Her sister was the wife of the late Mr. Stone, a banker, in London.

Two of Sir Francis's sons, Alexander and Henry, married while in America the two daughters of the late Mr. Bingham, a very opulent merchant of Philadelphia.

XIII.—MR. WEST.

Vol. VII. for 1804-5. (See page 39.)

We have been assured, that Mrs. West is a very good and a most amiable woman. Mr. West's father, a venerable American, now in his eighty-seventh year, resides with them, and being in possession of the unimpaired enjoyment of his faculties, is blest at witnessing the reputation, and partaking in the prosperity of such a son.

XIV.—EARL GREY.

Vol. VII. for 1804-5.

This nobleman died some time since, and has been succeeded by his eldest son Charles, late knight of the shire for Northumberland, a Secretary of State during the late administration, &c.

It has been said, p. 81, that Earl (then Lieutenant-colonel) Grey, accompanied General Hodgson, and commanded the 98th regiment of foot, at the capture of Belleisle. We have been since assured, by the best authority, that he was unable to attend his battalion thither, in consequence of bad health, and that the regiment was commanded by Major, now General, Leland, when that fortress surrendered to the British arms.

XV.—MR. HOBHOUSE.

Vol. IX. for 1807. (See page 101.)

This gentleman, who represented Grampound in the former parliament, was returned for Hindon to the present.

In 1792, he entered the field of controversy against Dr. Randolph, by the publication of an answer to his "Scriptural Revision."

XVI.—MR. MITFORD, F.R.S.

(See page 226.)

We are sorry to remark, that Colonel Mitford is no longer a member of the Imperial Parliament, having been succeeded in the representation of the borough of Beeralston, by the Honourable Jocelyn Percy. The ancient militia system, founded on the purest constitutional principles, will lose an able advocate, by his absence, as he was the strenuous opposer of every innovation in respect to a grand national plan, not only admirably calculated to provide for the internal defence of the country, but also to serve as a counterbalance to a standing army.

We rejoice, however, on the other hand, to find that he has now published "The History of Greece, from the earliest accounts to the death of Philip king of Macedon, in four volumes, 4to." being a new edition, revised and considerably augmented, of the three volumes already published, together with one entirely new, so as to complete at once the epoch and the series.

XVII.—LORD BARHAM.

(See page 249.)

Although this nobleman has retired from the Admiralty, yet he still acts as one of the Board, for examining the improvements suggested by the naval commissioners.

XVIII.—EARL OF ELGIN,

Vol. IX. for 1806-7. (See page 258.)

This nobleman has lately gratified the public with a display of his fine statues brought from the Greek Islands and the shores of Asia Minor.

At the general election in 1806, he was re-elected one of the Peers of Scotland, on which occasion he stood high on the list; but in 1807, his name was not included in the sixteen representative nobles.

XIX.—DR. STOCK,

LORD BISHOP OF KILLALA.

(See page 283.)

This Prelate no longer sits as a Peer of the Imperial Parliament, having gone out by rotation.

XX.—LORD COLLINGWOOD.

Vol. IX. for 1806-7. (See page 315.)

We have been lately told by a respectable gentleman, who received the information from his own mouth, that Lord C. left Newcastle, when he first went to sea, with forty guineas in his pocket, and did not return home again, until after the expiration of eighteen years.

We are happy to learn, that the mind of this noble lord gradually expands with his fortune and his honours. He has lately subscribed twenty guineas towards a monument to the memory of the Rev. Hugh Moises, M.A. under whom he was educated. His lordship has also presented 50*l.* to the Newcastle Infirmary, 10*l.* to the Dispensary, and 10*l.* to the Charity for the delivery of poor married women at their own houses.

XXI.—HIS EXCELLENCY JAMES MONROE,
Late Minister Plenipotentiary from the United States of America
to the Court of St. James's.

Vol. IX. 1806-7. (See page 337.)

This gentleman, after concluding a provisional treaty with the late administration, which we are sorry to add has not been productive of a settlement with the Trans-Atlantic Continent, has returned to his native country.

XXII.—ROBERT R. LIVINGSTONE,
Late Ambassador from America to the French Court.

(See page 385.)

This gentleman, who was well known to the late Mr. Fox as a politician, and to Mr. Coke of Holkham, &c. as an agriculturist, is now busied in improving his estates in America; he has made some very considerable purchases in Louisiana, and has conceived an idea, that it is possible to navigate against the stream of the Mississippi, by means of vessels provided with steam engines. Some of his countrymen, however, give the preference to the scheme of a canal cut parallel to that mighty river; but a subject of such magnitude, however, it may occupy the speculations of the present age, can only be fully completed by a remote posterity.

XXIII.—REAR-ADMIRAL SIR EDWARD PELLEW, BART,
Vol. IX. for 1806-7. (See page 401.)

He served as a midshipman on board the Alarm, Captain Stott, on which occasion, the Hon. Hugh, afterwards Lord Hugh Seymour, was his messmate. He was afterwards first lieutenant to Captain Pownall, on board the Apollo, and that officer having been killed in action, he fought the ship gallantly, and was afterwards made a commander on account of his conduct on the occasion.

As he was a most excellent seaman, even while a captain, he

took care never to order a man to do what he himself would not. By way of shewing a good example, therefore, he was accustomed at times, when the mainsail was handed, to assume the post of honour, he himself standing at the *weather-earring*, while Mr. Larcom, his first lieutenant, was stationed at the leeward one.

He still commands on board the *Culloden* of 74 guns, as admiral on the East India station.

XXIV.—THE RIGHT HON. SIR WILLIAM SCOTT, KT.

One of the M.P's. for the University of Oxford, Judge of the High Court of Admiralty, &c. &c.

Vol. IX. (See p. 522.)

As we have been at some pains to state the conduct of this learned civilian, in respect to neutral nations, and have indeed given a summary report of the merits of the Swedish captures, &c. it appears but fair to present the reader with the following article, from which it will be seen, that Sir William, when a proper opportunity presents itself, can become the strenuous assertor of neutral rights.

Anna, A. La Porte, Master.—Minutes of the sentence in the High Court of Admiralty of England, on the 20th day of Nov. 1805, on the reserved question of costs and damages, the ship and cargo having been restored.

“The Right Honourable Sir William Scott, Knt. the judge, observed—[Here follows the statement of the case, and of certain points in judgment, not relevant to the present subject; after which the report thus proceeds:]—On being brought here, a claim is given of a very grave nature, by General William Lyman, the Consul of the United States, under the authority of his Excellency James Munroe, Esq. the Ambassador, as being taken within the territory of the United States: this has been much discussed, and charts have been exhibited.

“The vessel is said to have been captured at the mouth of the Mississippi, within the bounds of the American territory. The general rule on this subject is, where the power of arms is limited, there is the limitation of the territory. Since fire-arms have been introduced, three miles is considered as where the territory begins:

but, it has been said, the island at the mouth of the Mississippi cannot be considered as territory, being merely a mud island, or bank formed by trees, washed down by the stream; and it is argued to be, in fact, no appropriated territory, but a mere accumulation of earth occasionally resorted to for the purpose of shooting birds, which are its only inhabitants. It is argued, therefore, that the American territory can only begin at Belleisle, where officers were formerly established by the Spaniards.

"I am of a different opinion. Clearly these islands are to be considered as a necessary and indispensable part of the American territory; for, by universal courtesy in such cases, the land formed at the mouth of a river, be the quantity of the earth which composes it great or small, must be considered as belonging to the territory from which its elements were derived. If the course of a river carries away any part of the adjoining land, the rule of general law is, that it still remains the property of the former owner; it would be so even if such a removal brought it contiguous to the property of another; but, in this instance, there is no other person to advance a claim. If it were not so considered, any other state might occupy, embank, and build fortresses upon one of the islands; and, in that case, what a thorn would this be in the side of America. Other nations might construct forts there, like that of Belleisle, and the passage of the river would be no longer in the secure possession of America! The island in question, then, must be considered as within the American territory, and therefore the distance from the shore must be computed from thence; and this vessel was captured, as far as I can judge from the evidence, within this threshold, as it were, of the American States.

"It is said, the pursuit began before the vessel had entered the privileged limits, and that, although you may not begin to chase within the neutral limits, you may pursue there; and I should be inclined to conclude with that view of the case, if the captor had been out on a legal cruise, and had legally summoned the vessel to surrender, and the capture had been made without violence. And if nothing of previous misconduct could be objected to the captor, such an excuse might possibly be held good.

"This brings me to a part of the case, which calls for great censure on the captor. Cruisers have no right to station themselves in a neutral river, the better thereby to exercise the right of capture. That this privateer did so, appears from her own log, and they are not to be justified by saying, that such is the conduct of king's ships, which I do not believe to be true in point of fact; but if it were so, it would call for equal censure on them."

The learned judge then proceeds to notice other particulars, and his general conclusion is thus reported: /

"I am of opinion, therefore, that in every part of this transaction there is misconduct on the part of the captor, and that of a gross kind; and that he has been guilty of a violation of territory; and that, connecting the place of capture with his conduct in that territory, the question of property afforded no justification of the seizure. I should, therefore, fall much short of that justice due to the violated rights of America, as well as to those of the individual, if I did not condemn the captor in costs and damages.

"The court accordingly pronounced the ship and goods to have been seized, and taken, in violation of the territory of the United States of America, and condemned the captor in costs and damages."

Sir William Scott has lately returned from Lisbon.

XXIII.—RT. HON. SPENCER PERCEVAL, .

Vol. X. Note to page 465.

It is the house of *Ivery*, not of "Ivestry," from which the present Chancellor of the Exchequer is sprung.

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F I N I S.

T. Gillet, Printer, Crown-court, Fleet-street.

